



Permanent Representation of the Kingdom of the Netherlands to the Organization for Security and Co-operation in Europe (OSCE)

OVSE 12 - 2024

NOTE VERBALE

The Permanent Representation of the Kingdom of the Netherlands to the Organization for Security and Co-operation in Europe presents its compliments to all Permanent Missions and Delegations to the OSCE and to the OSCE Conflict Prevention Centre, and has the honour to provide the Netherlands response to the questionnaire on the Code of Conduct on Politico-Military Aspects of Security for 2023. The response also includes information on Women, Peace and Security (Annex II).

The Permanent Representation of the Kingdom of the Netherlands to the Organization for Security and Co-operation in Europe avails itself of this opportunity to renew to all Permanent Missions and Delegations to the OSCE and to the Conflict Prevention Centre the assurances of its highest consideration.

Vienna, 15 April 2024



To: all Delegations and Permanent Missions to the OSCE
Conflict Prevention Centre of the OSCE

Distribution classification OSCE open; documents@osce.org

QUESTIONNAIRE ON THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY 2023

THE NETHERLANDS

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

- 1.1 To which agreements and arrangements (universal, regional, sub-regional and bilateral) related to preventing and combating terrorism is your State a party?

See Annex

- 1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

The Ministry of the Interior and Kingdom Relations and the Ministry of Justice and Security report on progress made to Parliament on a regular basis.

- 1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

Terrorism is considered to be a threat to national security. The government strategy is called National Counterterrorism Strategy. The National Coordinator for Counterterrorism and Security (NCTV) plays a central coordinating role in preventing and combating terrorism. NCTV coordinates the policy of the responsible ministries (mainly Interior and Kingdom Relations for the General Intelligence and Security Service (AIVD) and Justice & Security, the Royal Netherlands Marechaussee and the National Police). Within the Netherlands, the Ministry of Defence and the Armed Forces have a supporting role in this area.

The General Intelligence and Security Service (AIVD) investigates threats to national security, including terrorism. The AIVD identifies these threats and advises others, including policymakers and public officials at both national and regional level, as to if and how they might act upon the intelligence received. Moreover, if criminal actors pose a threat to national security and their activities lead to the undermining of the democratic legal order, the AIVD has the task of investigating this. In doing so, the AIVD obtains powers from the Wiv 2017 (in Dutch : *Wet op de inlichtingen- en veiligheidsdiensten*) and not (like the police and RNLN) from (in Dutch) *het Wetboek van Strafvordering*.

Combating terrorism is one of the main tasks of the Central Unit of the Netherlands Police. As of 01 Jan 24, the Central Unit was reorganized into two new units: National Expertise and Operations Unit and National Investigation and Intervention Unit, which is responsible for the combat against terrorism.

It includes many divisions and teams who play an role in fighting terrorism and radicalization. The unit carries out policing support tasks and independent, specialist tasks. Independent tasks include serious crime, terrorism, security and protection, and infrastructure security. Independent tasks focus on specialist investigative and forensic support, intelligence and information provision, international cooperation, special interventions, air support, operational support, and coordination of operations at the national level. The Central Criminal Investigation Division of the Central Unit of the National Police plays a crucial role in combating terrorism inter alia in the field of foreign terrorist fighters. This division provides the Netherlands police with high-quality technical, legal and strategic support related to combating organized crime and terrorism. The Central Intelligence Division of the Central Unit is responsible for the five information channels (Europol, Interpol, Sirene, Liaison Officers, Foreign Liaison Officers) through which CTER-related information flows.

Civil authorities have the possibility to request support from the armed forces as a structural partner for military assistance in the event of a terrorist threat or attack. Upon request from civilian authorities and if needed, the Netherlands Armed Forces can support civil authorities with specific tasks, such as providing intelligence, protection and security, and/or with specific military capabilities. The RNLM plays a prominent role in this area.

The RNLM is a military police organization and one of the four armed forces Services of the Ministry of Defence. The RNLM is responsible for border management, international and military police tasks, security and protection of specific civilian infrastructure and persons (including royal palaces and residences, official residence of the prime minister), high risk objects, for regular police tasks at designated civil airports as well as civil aviation security. The unpredictable and persistent character of nowadays terrorism and the ongoing polarization in society asks for a flexible operating counter terrorism service to serve the full range of expected violence. For this cause the RNLM provides civil services with a High Risk Security squadron (HRB) and the RNLM is specializing in behaviour detection in relation to terrorism. In the event of an increased terrorist threat level, civil authorities can request assistance and reinforcement from the RNLM units for additional protection of infrastructure and persons, namely the aforementioned High Risk Security squadron, the National Assistance Unit (LBO) and the Special Security Missions Brigade (BSB).

Activities in the Netherlands related to aviation security are described in European legislation (EU-Regulation nr. 300/2008). This is the responsibility of the Ministry of Justice and Security. The Netherlands is actively involved in keeping the civil aviation secure to counter the ever evolving and undiminished threat of international terrorism against civil aviation.

In the field of civil aviation security, the RNLM has responsibility for designated tasks. This involves taking certain anti-terrorism measures and providing adequate response capability for incidents and security incidents.

Regular safety and security procedures regarding boarding passengers, crew and cargo and the admittance of airport personnel are the responsibility of the airport operator. Private security companies perform these tasks on behalf of airport operators. By law, the Commander of the Royal Netherlands Marechaussee is the responsible supervisory authority for aviation security.

The Netherlands' organization to combat terrorism includes the special interventions teams (BSB for the RNLN and for the police Special Interventions Team), the Explosive Ordnance Disposal (EOD) and the Air Marshals' Program. A combined police/military Special Intervention Service and an Intervention Unit Marines are permanently on standby for combating terrorism, dealing with hostage situations, combating organized crime, etc. Additionally, the Royal Netherlands Air Force (RNLAF) provides two aircraft on Quick Reaction Alert (QRA) to respond to 'renegade' situations (the use of civilian aircraft to commit terrorist acts), under the authority of the Ministry of Justice and Security. As of 1 January 2017 the QRA task is conducted together with the Belgian Air Force according to a four month alternating schedule.

All EOD support to civilian authorities is provided by the armed forces. Deployment of the armed forces to counterterrorism operations within the Netherlands always takes place under the direction of the civilian authorities. The National Coordinator for Counterterrorism and Security advises on the use of military units in support of security forces in the event of a terrorist threat.

Acting in a timely and lawful manner, the Public Prosecution Service, the RNLN and the police will investigate and prosecute persons suspected of preparing or carrying out terrorist or extremist offences, including cybercrime.

Focus will therefore continue to be on:

- The criminal justice system's ability to investigate, prosecute and try persons suspected of extremist or terrorist offences and to place those who have been convicted of such offences in special detention, if need be. Even if the threat should decrease, the required capacity and knowledge will be maintained. That way they can be rapidly redeployed if the threat flares up again;
- Making use of the full range of possibilities offered by the law, disrupt extremist and terrorist acts – including preparatory acts – and to prosecute those suspected of committing them;
- Investigating and prosecuting persons suspected of financing terrorism.
- Increasing and retaining knowledge and expertise within the criminal justice system regarding extremism and terrorism;
- Further strengthening of pro-active information-sharing practices and pro-active cooperation between intelligence and security services and investigative agencies, instead of merely focusing on investigative tasks.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining *inter alia* to:

- Financing of terrorism

The Netherlands implements all relevant UN resolutions and EU regulations on combatting the financing of terrorism in its national legislation and regulations. Financing terrorist activities is sanctioned and criminalized through the Dutch Penal Code and the Sanctions Act (*Sanctiewet 1977*). More than ten government agencies are involved. Among those are the Public Prosecutors Office, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Justice and Security and the Ministry

of the Interior and Kingdom Relations. In order to combat the financing of terrorism more efficiently and effectively the Netherlands introduced a successful public-private initiative: the TF Task Force. Public parties and private parties (commercial banks) share subject-based information within statutory frameworks. This helps financial institutions to search more specifically for the financing of terrorism.

- Border control

In the context of border control, the RNLM helps fight terrorism, inter alia by providing information relevant to other organizations such as the AIVD or the NCTV. The RNLM is authorised to act on the basis of information related to terrorism provided by – amongst others - the organizations mentioned above.

The RNLM monitors the borders of the Netherlands and checks for persons who are identified as “undesirable aliens” and also checks whether a passenger poses a threat to public order and national security. At the border control the passport number of every passenger is checked against databases like the Schengen Information System and Interpol’s Stolen and Lost Travel Documents to find out whether the passport is registered as stolen, lost, or revoked.

During the Identification and Registration process of asylum applicants special attention is given to signs of terrorism. If signs are identified they will be shared with other partners involved in border management and with the AIVD.

- Travel document security

No specific measures on travel document security are taken. In general, every five years a new passport model is issued in order to prevent document forgery. Furthermore the passport issuing authorities must check the identity of every applicant of a travel document. Since March 2014 passports are valid for 10 years (before March 2014 five years only). Passports of potential foreign fighters can be withdrawn or withheld. In addition legislation is under consideration to prohibit travel outside the Schengen area for potential foreign fighters.

Jihadists are known to make use of other people's passports, thereby complicating the identification process. Evidence of this was uncovered during the raid in Verviers, where a passport belonging to a Dutch national was found. The fraudulent use of other people's passports or ID cards for travel purposes is nothing new. The loss of identity documents should always be reported to the authorities so that this information can be included in the databases that are consulted at the border. But of course, missing documents will not be reported if their loss is the product of criminal intent. Passports are sometimes misused by people known to the criminal justice authorities in order to remain under the radar.

Maintaining sound verification practices for identity documents is the best way of preventing people from travelling under a false identity with a valid travel document. Such official checks, which occur not only at the border, but also during police inspections and at municipal offices that issue passports, are a prerequisite for

identifying misuse. In exercising its border control duties the RNLN is responsible for confirming travellers' identities. An important aspect of this is spotting forged and falsified documents. They also consult systems to determine if a given document has been flagged as stolen, revoked or missing. Furthermore, special attention is being given to recognizing 'lookalike fraud', whereby an individual makes use of a genuine document belonging to someone else. In this way the Dutch authorities do their utmost to make it difficult for people to travel under another identity.

- Container and supply chain security

In accordance with the *'Accord Europeen relatif au transport international de marchandises Dangereuses par Route'* (ADR) the Netherlands has adopted legislation to ensure the secure transport of dangerous goods. Transporters that are allowed to transport dangerous goods are obliged to take the necessary precautions against misuse and theft. Inspections are carried out to ensure compliance with all relevant regulations.

Activities of the Netherlands related to cargo aviation security are described in European legislation on cargo aviation security (EU-Regulation nr. 300/2008). Recently new legislation came into force with a focus on improving the security status of cargo coming from third countries. The Netherlands is implementing the new obligations.

- Security of radioactive sources

The Netherlands has national legislation with security requirements for radioactive sources. International cargo at main ports is checked for radiation. The Netherlands participates in the WCO Global Shield programme on explosives precursors and has implemented EU regulation 2019/1148 on the marketing and use of explosives precursors (including customs checks).

The security of radioactive sources is regulated in Chapter 6 of the Implementation Act. This chapter entered into force in April 2013. The Implementation Act determines which radioactive materials and sources must have additional security measures in addition to the regular normal security measures. Chapter 6 was evaluated and expanded in the autumn of 2015.

With a view to public access to sensitive information, the accessibility of data regarding radioactive sources on the internet will be reviewed and evaluated.

- Use of the Internet and other information networks for terrorist purposes
 - a) On a national level the Netherlands works on a multidisciplinary approach of countering extremist and terrorists' use of the internet, which is coordinated by the NCTV. The NCTV is intensifying its efforts in this regard, by rolling out the so-called 'Enhanced Approach Online.'
 - b) The AIVD attempts to counter the threat generated by online terrorism by investigating virtual and physical terrorist activities. In view of the transnational nature of online terrorism, the AIVD works closely together with foreign intelligence and security services.

c) Article 21 of the EU Directive on combatting terrorism has been incorporated into criminal law. In Dutch criminal law the terrorist content (both online/offline) is linked to the (criminal) behaviour of a suspect. As a result, persons in the Netherlands who post extremist statements on the internet can be criminally prosecuted and the content can be removed.

These include:

- Statements that threaten people;
- Statements that incite to commit violent hatred;
- Expressions that incite to commit criminal acts;
- and statements that recruit.

d) The “terrorist content” in itself (for example a photo of an IS flag) is difficult to criminalize independently of the context or the behaviour and therefore the criminal law approach is not well suited to removing such material.

e) Upon suspicion of a crime the Public Prosecutor is authorized, besides prosecution, to order an internet provider to immediately take all measures to make certain data inaccessible (Art 54a Criminal Code; 125 p Criminal Procedure Code).

f) The Netherlands has implemented the EU Regulation on addressing the dissemination of terrorist content online (TCO). The aim is to enable swift and effective removal of terrorist content online within one hour and with full respect of fundamental rights, such as the freedom of speech. The Netherlands has set up an independent administrative body as competent authority to exercise the obligations of the EU regulation in a manner that is objective, non-discriminatory and in full respect of fundamental rights, the so-called Authority for Online Terrorist and Child Sexual Abuse Material. Non-compliance can be penalized by the authority. The Netherlands emphasizes the importance of an independent competent authority, i.e. independent from ministerial decision-making, since the removal of online content affects fundamental rights, in particular the freedom of expression and information.

g) On an international level the Netherlands actively participates in the EU Internet Forum, in which the EU Institutions and Agencies, EU Member States, Europol and the internet industry meet to discuss cooperation on countering terrorist and child sexual abuse material online content. Developments on the internet change rapidly, therefore it is crucial to cooperate with (inter)national partners in countering the dissemination of terrorist content online.

- Legal co-operation including extradition

The Netherlands is party to various bilateral and multilateral treaties, including UN conventions relating to mutual legal assistance in criminal matters and extradition, which provide a basis for rendering assistance to other countries in criminal cases (for instance relating to terrorism). These treaties have all been implemented in national legislation and can serve as a legal basis for extradition and mutual legal assistance. For extradition, the relevant treaties are the International Convention for the Suppression of the Financing of Terrorism and the International Convention for the Suppression of Terrorist Bombings (<http://www.un.org/law/cod/finterr.htm>). If a foreign request for assistance is based on one of these treaties, the Netherlands can provide legal assistance in broad terms. Extradition is also possible based on these treaties.

Other treaties containing provisions on extradition include the United Nations Convention against Transnational Organized Crime (adopted by General Assembly Resolution 55/25 of 15 November 2000) and the United Nations Convention against Corruption (adopted by General Assembly Resolution 58/4 of 31 October 2003).

2. Stationing of armed forces on foreign territory

- 2.1 Provide information on stationing of your State's armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

The Netherlands is a party to the Agreement by the Parties to the North Atlantic Treaty Organization on the Status of their Forces (1951) and the supplements thereto. The Netherlands is also party to a number of treaties with Germany and Belgium.

Belgian-Netherlands naval cooperation has a common operational HQ in Den Helder, The Netherlands (ADMIRALBENELUX). Both navies make use of each other's facilities in the Netherlands and in Belgium for educational and logistical purposes. Around 55 Netherlands Navy personnel are stationed in Belgium for maintenance and operational support of the MCM (Mine Counter Measures) vessels in Zeebrugge to support the Belgian-Netherlands Naval Academy (NAC) in Brugge and Oostende.

On 1 November 2013, the Benelux established a common Benelux Arms Control Agency (BACA). The arms control agency for the Netherlands was merged with those of Belgium and Luxembourg. BACA carries out its activities from Peutie in Belgium. BACA implements the conventional arms control treaties for the entire Dutch, Belgian and Luxembourg armed forces. The Netherlands military has 5 military positions at BACA, of which 4 were filled during 2023. BACA operates under Belgian command since August 2022.

The Para Training Centre in Schaffen (BEL) works closely together with the NLD Para School on several training programs. One NLD NCO instructor is assigned to the BEL Para Training Centre on a permanent basis. .

Some 518 NLD military are stationed in Germany. Most of them (around 218) are stationed at Headquarters 1 (German/Netherlands) Corps which was established in 1995 and is located in Münster; it is one of the NATO High Readiness Forces (Land) Headquarters. Most of the Corps positions (circa 440) are divided equally between Germany and the Netherlands; about 70 positions are reserved for military personnel of other NATO and EU member states. Another main location is Bergen (Lower-Saxony), where the fully integrated German-Dutch 414 Armoured Battalion is located with 79 military. Furthermore Dutch military personnel are stationed at NATO positions in Ramstein (39) and Geilenkirchen (38).

In each of the following nations, Poland, Latvia, Lithuania and Estonia, the Netherlands have permanently stationed 2 Netherlands military personnel as part of NATO's Force Integration Units, following a decision taken at the Wales Summit in September 2014 as part of NATO's Readiness Action Plan, a comprehensive package of measures designed

to respond to the changed security environment on the Alliance's borders. The Netherlands also provide input to NATO's Enhanced forward Presence (eFP) by contributing to the strengthened military presence in Lithuania. This NATO presence in the Baltic states and Poland serves as a reassuring measure for these countries. The Netherlands supplies 270 soldiers for a multinational battle group in eFP, with a maximum of 350 personnel.

At the request of NATO, the Netherlands has deployed eight F-35 fighters to Poland for Air Policing and Air Defence missions. As of 1 January 2023 the aircraft and associated 150 – 200 personnel have been deployed to protect the eastern flank of the NATO treaty area until the end of March 2023.

In Poland the Netherlands has stationed 3 persons within the logistic hub in Rzeszow. This for handling all the weapons systems, ammunition and other goods donated by the Netherlands to Ukraine. This is started shortly after the start of the war on 26 February and will be done until further notice.

In Romania there is an eFP BG established under the lead of the French Armed Forces. In June the Netherlands also contributed with a airmobile company and in October also with a counter UAV unit. In total there are around 150 persons. This contribution will last till summer 2023.

In November 2023 the new Training centre for F16 (EFTC) in Fetești. Romania was officially opened. It is an organisation with contributions from different countries and partners with several F 16 airplanes. One Dutch military is stationed as liaison officer on the Romanian Airbase.

In September 2008 a Strategic Airlift Capability (SAC) was established, including The Netherlands presently comprising of 12 NATO member states, now Finland and Sweden recently joined NATO. The operational organization of SAC is the Heavy Airlift Wing (HAW), stationed at Pápa Air Base in Hungary. The HAW operates three C-17 aircraft. The Netherlands contributes 25 military personnel to this multinational consortium.

302 Squadron of the Royal Netherlands Air Force (RNLAf) is based in Fort Cavazos (TX), USA, employing approximately 30 RNLAf and Royal Netherlands Army (RNLA) personnel; it operates eight AH-64E Apache attack helicopters and five CH-47F MYII CAAS Chinook transport helicopters. Through 2023, the AH-64D was phased out and the number of E variants did rise to six (ultimately eight in 2025). 302 facilitates level 4 joint air assault training for RNLA AASLT infantry and RNLAf helicopter crews in order to prepare for future combat deployments. In addition, 302 Squadron is responsible for Mission Qualification Training (MQT) for both Apache and Chinook helicopter crews. Fort Hood was renamed to Fort Cavazos in May 2023.

The RNLAf 323 Test & Evaluation Squadron (323TES) is based at Edwards Air Force Base (CA), as part of the Joint Operational Test Team (JOTT), directed by the Director Operational Test and Evaluation, employing five RNLAf personnel and currently without aircraft to wrap up the initial Operational test and Evaluation and to set up a sovereign F-35 test program.

A RNLAf Detachment is based at Luke Air Force Base (AZ), that employs 14 RNLAf personnel and operates eight F-35 fighter aircraft, maintained by the Luke Air Force Base

contractors. The detachment is part of the 308th FS and provides F-35 type conversion for new F-35 pilots and an F-35 Instructor Pilot Course.

Various numbers of military personnel are assigned to (multinational) military staffs in different countries, in addition to the deployment of various units participating in UN and other military operations pursuant to United Nations Security Council resolutions or at the request of the host nation concerned. At one NORDEFSCO and fourteen NATO accredited Centres of Excellence the Netherlands have military personnel. These Centres of Excellence cover a wide variety of areas of interest. The NATO Centres of Excellence work under the overall coordination of Allied Command for Transformation.

Bosnia and Herzegovina (BiH) / EUFOR Althea

The mission EUFOR Althea, in Bosnia and Herzegovina, oversees the military aspects of the Dayton Agreement with the primary objective of maintaining the *safe and secure environment*, deterring destabilizing actors and enabling the international community to act together. Starting in early 2023, the Netherlands contributes substantially to EUFOR Althea. In early 2023, the contribution started with four staff officers, which was increased, by January 01, 2024, to six (with a maximum of seven). From September 2023, the Dutch contribution was expanded to a total of 10 that will be active until July 2025. From October 2023, the Netherlands provide an infantry company including support units (of up to one hundred and fifty persons) for the duration of one year (October 2024). The infantry company will be expanded upon rotation in April 2024 with a Tactical Information Operations Group (TIO-gp) of a total of 5 persons bringing the total Dutch contribution to approximately 140 persons.

EULEX (European Union Rule of Law Mission) KOSOVO

EULEX supports relevant rule of law institutions in Kosovo on their path towards increased effectiveness, sustainability, multi-ethnicity and accountability, free from political interference and in full compliance with EU. EULEX's current mandate has been launched to cover the period until 14 June 2025 based on Council Decision 2023/1095 and has an authorized strength up to 396 staff members. In total, there are nine Dutch nationals working within EULEX, none of whom are Dutch military.

Four Royal Marechaussee personnel are stationed in Vicenza, Italy with the European Gendarmerie Force (EUROGENDFOR) staff, the multinational rapid deployable intervention force, comprising of elements of several European police forces with military status.

3. Implementation of other international commitments related to the Code of Conduct

- 3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security-building as an element of indivisible security are implemented in good faith.

The Netherlands is party to and has implemented all international Treaties and Conventions in the field of conventional arms control, disarmament and confidence and security building measures. The Netherlands pursues greater transparency for the international imports and exports of arms and therefore values and reports to UNODA, the OSCE and the UN Arms Trade Treaty.

- 3.2 Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

In the field of conventional arms control, the Netherlands is party to the UN Arms Trade Treaty, the Wassenaar Arrangement and the EU Common Position on Arms Exports 2008/944/CFSP. It takes an active part in the Council Working Group COARM to promote harmonization of export controls between EU partners. The entry into force of the UN Arms Trade Treaty was an important step forward in strengthening export controls at the global level. The Netherlands supports the universalization and sound implementation of the treaty.

The Netherlands is a State Party to the Treaty on Conventional Armed Forces in Europe (CFE Treaty), but suspended its participation in December 2023, and the Treaty on Open Skies and is a participating State to the Vienna Document and other OSCE agreements on CSBMs. The Netherlands Permanent Representation to the OSCE takes an active part in the various negotiating forums within the OSCE framework. On the basis of these treaties and agreements, the obligation exists to accept inspections, evaluations, observation flights by the other contracting states on and above Dutch territory, as well as Dutch forces on the territory of other parties. In addition, based on some of these treaties and agreements, the Netherlands has the right to carry out inspections, evaluations and observation flights on and above the territory of the other contracting states. These flights are coordinated and carried out at BENELUX level.

In addition to the multilateral arrangements mentioned above the Netherlands has reinvigorated the bilateral INCSEA agreement with the Russian Federation in order to raise awareness and aim at increasing the safety on and above the high seas.

Section II: Intra-State elements

1. National planning and decision-making process

- 1.1 What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

The planning and decision-making process within the Netherlands is called the Policy-Plan-Budget cycle in which means are allocated to and within the Ministry of Defence in accordance with plans and priorities. Planning priorities in national defence planning are the result of the relationship and interaction between political and organizational ambitions, tasks, capabilities and means. In order to improve this national defence planning, a methodology has been developed that reflects a joint interaction between the services and directorates and which integrates NATO and EU priorities. This methodology is the leading principle for the national planning system.

The Policy-Plan-Budget (PPB) cycle is an annual cycle with a budgetary outlook of five years based on initial political guidance at the beginning of a legislature and is updated yearly. At the beginning of a legislature, the Netherlands government produces its Policy Directive, which is the leading policy document for government departments including the Ministry of Defence and is valid for a period of four years (or the length of the legislature). The Policy Directive provides political and policy input for the Defence Plan. The Policy

Directive is translated into a Defence Plan issued by the Defence Staff which represents a more detailed outline of defence plans and policy for the period of the legislature. The document Defence Vision 2035 “fighting for a secure future” provides 10 design principles for the Ministry of Defence. These principles provide guidance in the choices that have to be made in determining the appropriate military posture and capabilities which will be incorporated in the Defence Plan. The Defence Plan explains the relationship between policy, planned expenditures and capability development versus activities, personnel and equipment. This document serves as the basis for the annual budget plan and PPB-cycle. The Chief of Defence, as the corporate planner and allocator, formulates this integrated proposal, which is then submitted to the Minister of Defence.

- 1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

According to article 97 (1) of the Constitution of the Netherlands the armed forces of the Netherlands exist to defend and protect the interests of the Netherlands and promote the international legal order.

2. Existing structures and processes

- 2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

The Constitution states that the Government has supreme authority over the armed forces (article 97, paragraph 2). The government’s policies and decisions regarding security and defence forces are subject to parliamentary control. There are no paramilitary forces in the Netherlands and civilian security companies are subjected to specific legislation. The General Intelligence and Security Service (AIVD) and the Defence Intelligence and Security Service (MIVD) are integral parts of the Ministry of the Interior and Kingdom Relations and the Ministry of Defence, respectively. As such, they fall within the normal constitutional framework for government institutions. In addition to the constitutionally established procedures, the intelligence and security services have their own legal framework (Intelligence and Security Services Act 2017).

Article 100 of the Constitution requires that Parliament is informed about the use and deployment of defence forces in support of the international rule of law.

- 2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

The Minister of Defence is politically accountable to Parliament with respect to the implementation of the outlined policy priorities and the operational objectives and with respect to the Defence Intelligence and Security Service. The Parliament allocates funds for the annual budget of the Ministry of Defence and the armed forces.

The organizational structure of the police is laid down in the Police Act of 2012. It describes the responsibility for the organisation and its actions of the Minister of Justice and Security. The Minister of Justice and Security is politically accountable to Parliament. Concerning the upholding of criminal law, the police acts under

subordination of the Public Prosecution Service, and under subordination of the local mayor where it concerns the upholding of public order and security. The mayor is politically accountable to the city council.

The Minister of the Interior and Kingdom Relations is responsible for the General Intelligence and Security Service (AIVD), which investigates threats to national security. The Committee on the Interior exercises parliamentary oversight over unclassified issues pertaining to the AIVD. Regarding classified issues, parliamentary oversight takes place in a confidential House Committee consisting of the leaders of the five biggest political parties represented in the Lower House (Tweede Kamer).

Additionally, the independent Review Committee on the Intelligence and Security Services (CTIVD) assesses whether the AIVD and the MIVD abide by the law and, in particular act in accordance with the Intelligence and Security Act 2017 and the Security Screening Act.

- 2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

The Constitution lays down three principal missions for the armed forces:

- to defend national and allied territory, including the Caribbean parts of the Kingdom, and the national interests of the Kingdom of the Netherlands;
- to promote the international rule of law;
- to support and assist civilian authorities in maintaining law and order, providing disaster relief and humanitarian aid, on a national as well as an international scale. This task is based on a number of different laws such as the 2012 Police Act. These activities are always performed at the request, and under the authority of the civilian authorities and within the legal framework for such activities.

See also 2.1 and 2.2. Apart from individual criminal responsibility of military personnel, the overall political control for ensuring that the armed forces act within the constitutional framework lies with the government, which is in turn subject to (public) review by Parliament. The minister of Defence is politically accountable to Parliament and has to inform Parliament on any relevant development related to the armed forces, in accordance with procedures laid down in the Constitution.

3. Procedures related to different forces personnel

- 3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

The personnel system of the Netherlands armed forces is based on professional voluntary staff. The Netherlands suspended military conscription in 1997 and legislation has been changed accordingly. However, the registration system is still in place and if the military necessity were to arise, conscription can be resumed and reservists can be drafted. On a voluntary basis, Netherlands residents can serve as reservist in non-operational posts and be deployed in peace support operations.

3.2 What kind of exemptions or alternatives to military service does your State have?

Since the Netherlands has suspended military conscription, offering alternatives to compulsory military service is no longer applicable.

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

The military law and disciplinary rules are almost entirely shaped according to civil law and do not infringe upon the civil rights of military personnel. These civil rights can only be limited in the event of military operations in times of war or during peace support operations. The Inspector-General for the Armed Forces serves as *Ombudsman* for all personnel.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

All military personnel receive instruction in international humanitarian law, which is also included in annual basic training refresher courses. In addition, lessons incorporating other relevant international conventions and commitments are provided, for instance those within the framework of the United Nations or the North Atlantic Treaty Organization. Particular attention to international humanitarian law is given in the Soldiers' and Officers' Handbooks. Finally, a specific Humanitarian Law Handbook is available and updated as required.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

The training of all military personnel contains classes on military law, international humanitarian law and criminal law. Additionally, attention is given to humanitarian law and human rights in the training prior to any deployment.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

The legal framework for the use of the armed forces in domestic operations contains a number of checks and balances, including legal review of any request or intention to deploy the armed forces for such operations. Furthermore, any such deployment is conducted under the authority of the civil authorities. Additionally, attention is given to human rights in the training prior to any international deployment (see 4.2, above). There is also parliamentary oversight through the means of the Article 100 obligation (see II.2.1) to inform Parliament on missions in support of the international legal order, periodic updates on missions sent to Parliament and a formal evaluation at the end of all missions.

- 4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

Individual service members have the same rights as other citizens, which may only be limited by law and out of operational concerns. Personnel are allowed to organize themselves into unions and have recourse to legal means if they consider themselves unfairly treated. Furthermore, a system of integrity advisors is present throughout the armed forces.

Political neutrality is ensured through the civilian control of the armed forces.

- 4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

Legal advisors are available within the ministry of Defence and are consulted on most policy documents, including the Netherlands Defence Doctrine. The Director of Legal Affairs may also provide advice *ex proprio motu* on any (policy) issue he/she considers relevant. Under the obligations derived from Article 36 of the First Additional Protocol to the Geneva Conventions, states are obligated to ensure that their means and methods of warfare are in accordance with international law. The Netherlands has an advisory committee which ensures such adherence. Finally, legal advisors are present at various levels of command to advise commanders on international law in accordance with Article 82 of the First Additional Protocol to the Geneva Conventions.

Section III: Public access and contact information

1. Public access

- 1.1 How is the public informed about the provisions of the Code of Conduct?

The Code of Conduct is not explicitly mentioned, but the way it is implemented in the Netherlands Armed Forces is made public through means as described in 1.3.

- 1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

The Netherlands' replies to the Questionnaire are publicly available on the OSCE website www.osce.org/fsc. No additional information directly related to the Code of Conduct is provided.

Through the Netherlands Ministry of Defence's Directorate of Communication, press and individual citizens are free to request all information regarding the Netherlands Armed Forces.

- 1.3 How does your State ensure public access to information related to your State's armed forces?

The government informs the public in an active way on matters related to the armed

forces, using all possible means for this purpose, such as websites (<http://www.rijksoverheid.nl/>), (<http://www.defensie.nl/>), social media (<https://www.youtube.com/user/defensie>), audio-visual materials, briefings and publications. In addition the press and the public have the opportunity to put forward questions related to the armed forces. The possibility exists to file a request to disclose any defence document under the Open Government Act (WOO) of 1 May 2022. The ministry has 4 weeks to respond to the WOO request.

The Ministry of Defence strives for enhanced transparency about what the organisation does. Connection with the region or environment in which it operates is also increasingly important. Defence actively informs the local environment and region in the event of exercises planned or taking place, activities in national airspace and involves its environment as much as possible about developments that have a local or regional impact such as real estate, airspace review, radar systems.

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.

Ministry of Foreign Affairs
Security Policy Department
Security and Defence Policy Division
P.O. Box 20061 500 EB The Hague
Tel. +3170348 5814
E-Mail: dvb-vd@minbuza.nl

2.2 To request documents under the Open Government Act (WOO):

Ministry of Defence
Directorate of Communications/WOO
P.O. Box 20701
2500 ES The Hague
E-mail: woo@mindef.nl

ANNEX
**to Question 1 of the Information exchange on
the Code of Conduct on politico-military aspects of security**

1(a): *List of international agreements, including all United Nations conventions and protocols related to terrorism, to which the participating State is a party*

- 1) Convention on Offences and Certain Other Acts Committed on Board Aircraft
14 September 1963, Tokyo (entry into force for the Netherlands: 12 February 1970)
- 2) Convention for the Suppression of Unlawful Seizure of Aircraft
16 December 1970, The Hague (entry into force for the Netherlands: 26 September 1973)
- 3) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
23 September 1971 (entry into force for the Netherlands: 26 September 1973)
- 4) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 14 December 1973, New York (entry into force for the Netherlands: 5 January 1989)
- 5) International Convention against the Taking of Hostages, 17 December 1979, New York
(entry into force for the Netherlands: 5 January 1989)
- 6) Convention on the Physical Protection of Nuclear Material, 3 March 1980, Vienna
(entry into force for the Netherlands: 6 October 1991) and the Amendment to the Convention on the Physical Protection of Nuclear Material, 8 July 2005 (entry into force for the Netherlands 8 May 2016)
- 7) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 23 September 1971, Montreal, 24 February 1988, Montreal
(entry into force for the Netherlands: 10 August 1995)
- 8) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 10 March 1988, Rome (entry into force for the Netherlands: 3 June 1992)
- 9) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms on the Continental Shelf, 10 March 1988, Rome (entry into force for the Netherlands: 3 June 1992)
- 10) Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1 March 1991, Montreal (entry into force for the Netherlands: 3 July 1998)
- 11) International Convention for the Suppression of Terrorist Bombings, 15 December 1997, New York (entry into force for the Netherlands: 9 March 2002)
- 12) International Convention for the Suppression of the Financing of Terrorism, 9 December 1999, New York (entry into force for the Netherlands: 10 April 2003)

1 (b): Accession to and participation in other multilateral and bilateral agreements or measures undertaken to prevent and combat terrorist activities;

- 1 European Convention on the Suppression of Terrorism, 27 January 1977, Strasbourg (entry into force for the Netherlands: 19 July 1985)
- 2 Agreement concerning the application of the European Convention on the Suppression of Terrorism among the member States of the European Community, 4 December 1979, Dublin (accepted by the Netherlands, treaty not yet entered into force).

UPDATED INDICATIVE LIST OF ISSUES PERTAINING TO WOMEN, PEACE AND SECURITY TO BE PROVIDED IN THE QUESTIONNAIRE ON THE OSCE CODE OF CONDUCT

This document provides an indicative list of issues, which aims at providing useful information on Women, Peace and Security aspects for participating States replying to the Questionnaire on the OSCE Code of Conduct on Politico-Military Aspects of Security.

It is structured around the four pillars of UNSCR 1325 (Prevention, Participation, Protection and Sustaining Peace) and is set out in two parts for each pillar:

- PART A Checklist of key commitments and measures taken by participating States;
- PART B More detailed information for sharing good practice between participating States.

3.1. PREVENTION

A. Checklist of key commitments taken by participating States

LIST OF INTERNATIONAL AGREEMENTS AND ARRANGEMENTS

Please indicate if your State is party to the following universal and regional legal instruments relevant to protecting women, peace and security. If your State is not a party to a treaty, but considers becoming a party, kindly indicate at which stage is such consideration (e.g., undergoing inter-ministerial co-ordination, approved by government and sent to parliament, approved by parliament and awaiting enactment by president, etc.)

Name of the treaty	Party by: ratification P(R) , accession P(a) , succession P(s) , acceptance P(A) , approval P(AA) , or Not party	Law and date of ratification, accession, succession, acceptance, or approval
Universal legal instruments		
1. Protocol Supplementary to the United Nations Convention Against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)	P(a)	27 July 2005

2.	United Nations Convention on All Forms of Discrimination Against Women (1979)	P(R)	23 July 1991
The Council of Europe legal instruments			
3.	European Convention Against Trafficking in Human Beings (2005) CETS No: 197	P(A)	22 April 2010
4.	European Convention on Preventing and Combatting Violence Against Women and Domestic Violence (2011) CETS No: 210	P(A)	18 November 2015

	Other arrangements	Yes	No
5.	National Action Plan on Women, Peace & Security	x	
6.	National legislation to implement the UN CEDAW convention (if a party), with particular reference to combating discrimination in employment, education, access to health services and participation in institutions ensuring democratic oversight and public scrutiny of the security sector.	x	
7.	Other related information, clarification or details to share: National Defense Action plan on Women Peace and Security has also been developed in accordance with the Dutch NAP.		

B. Checklist of key measures taken by participating States

Please indicate if your State has the following preventative measures in place. More detailed information of the preventative measures can be included in Part B below.

	Type of Measure	Yes	No
1.	Mechanism to assess risk of abuse of small arms to commit or facilitate serious acts of gender-based violence and violence against women and children		x
2.	Inclusion of women's organisations and women in religious, ethnic minority or community groups in measures - to counter and prevent terrorism and violent extremism	x	

	- to raise awareness of the potential risks of exploitation and radicalization ¹		
3.	Inclusion of gender perspective and special needs of women and girls in a national counter-terrorism strategy ²		x
4.	Inclusion of specific matters related to the protection of women's and girls' rights in the basic education of armed forces.	x	
5.	Availability of specialized in-service training for armed forces personnel on the protection of women's and girls' rights.	x	
6.	Inclusion of specific matters related to the protection of women's and girls' rights in the pre-deployment training for international peacekeeping missions.	x	
7.	Plans to address and gather information from local women's populations in areas at risk of conflicts.	x	
8.	Mechanisms to monitor and evaluate the implementation of gender mainstreaming into operations		x
9.	Feedback mechanisms: - from operations to chiefs of defence or military planners - between forces leading multi-national missions and forces providing personnel to such missions		x
10.	Membership of a regional network or leadership network such as the WPS Chiefs of Defence Network	x	
11.	Other related information, clarification or details to share: 5: Gender included in most of the pre deployment training 7: MOD works together with local NGO's/ NAP 1325 network and gathers information from them 9: The MOD complies with rules and regulations, SOP's etc during international missions		

C. More detailed information for sharing good practice between participating States

1. National Action Plan on Women, Peace & Security

1.1 In case you have a National Action Plan on WPS, how is your NAP developed, implemented and its impact assessed, including involvement of women's organizations and other civil society organizations and co-ordination across government?

¹ See also similar question 3a in form to input to UN SG UNSCR 1325 report.

² See also similar question 3a in form to input to UN SG UNSCR 1325 report.

The Netherlands has a long history of **collaboration between civil society and government** (since 2008). Government and civil society built up mutual knowledge and a culture of dialogue and exchange over a period of about 15 years. Currently we are implementing NAP 1325 – IV. In the Netherlands, CSOs and government departments can both sign up to the NAP 1325 if they contribute to at least one of its outcomes. We speak about a “NAP 1325 community”: it is currently made up of 4 ministries and around 60 CSOs and we include local partners of these signatories when we can. This is a diverse community and it is growing: organizations and government departments can join also after the start of the NAP 1325 implementation. For the **development** of NAP 1325-IV we went through an elaborate process of exchange sessions on key WPS issues (e.g. gender and the security sector, migration and asylum, gender and humanitarian action, etc): we invited government, civil society, research institutions and thematic experts on these specific topics which needed hammering out: what are thorny issues, what are existing good practices, where should civil society and government invest in order to improve on the WPS agenda, etc. We then jointly decided what would be the focus for the next five years and defined outcomes and indicators together. In other words: **we developed a strategic framework to which we all agree**. It is a document which defines where we jointly head for. It allows for strategic partnership between government and civil society throughout the implementation period: we know we aim for the same and we appreciate that we have complementary contributions to make.

We agreed outcomes as well as accompanying indicators jointly, at the start of NAP 1325-IV. We realize that **monitoring and reporting** is different for government actors, who are accountable to the WPS agenda, and for civil society actors, who are not. We therefore developed **two separate reporting trajectories**:

- 1) the government actors, i.e the 4 ministries, submit a consolidated report every two years to parliament, against the set indicators. The very first report was submitted in November 2022. See for that report to parliament (in Dutch): [Kamerbrief bij voortgangsrappportage Nationaal Actieplan Vrouwen Vrede en Veiligheid 2021 / Kamerstuk / Rijksoverheid.nl](#).

We are currently looking into how indicators can be sharpened, how the content can be improved, etc. As a result of our strategic partnership and culture of dialogue, the government reporting procedure and report itself was openly discussed with civil society and civil society could provide critical feedback. We are aware that we need each other to do this in the best way possible.

- 2) civil society actors signing up to the NAP do not have a focus on progress reporting, but report to the NAP with a focus on mutual learning and inspiration. Civil society signatories are encouraged to provide documents, visuals, podcasts, stories of change, tools and guidelines, which illustrate their work towards the NAP outcomes and from which others can learn or be inspired by. These products are gathered in a public database, on the NAP 1325 website: [Women, peace and security \(nap1325.nl\)](#)

1.2 In case you have a National Action Plan on WPS, who takes the lead and owns the budget?

The Dutch NAP 1325 is **co-coordinated** by government and civil society: The Ministry of Foreign Affairs coordinates the ministries and WO=MEN coordinates the civil society signatories.

The Ministry of Foreign Affairs has made available a budget of 35 million Euro for the period 2021-2025, funding 7 consortia working on WPS in various countries, along the outcomes of the NAP 1325. This is a major contribution to realize actual implementation of the NAP 1325. **However, the NAP 1325 as such is not accompanied by a budget.** All signatories to the NAP 1325, both government and civil society, are responsible for accessing funding for their work on WPS towards one or more outcomes of the NAP 325.

1.3 In case you have a National Action Plan on WPS, how does the NAP support enhancement of institutional capacity in defence and security

The Ministry of Defense regularly consults NAP 1325 civil society signatories for their pre-deployment gender analysis for certain countries/ areas, which generally leads to better gender analyses.

1.4 In case you have a National Action Plan on WPS, how do you publicize progress on implementation of your NAP?

Website of WO=MEN, LinkedIn page and other forms of social media.

2 Measures to prevent sexual and gender-based harm

2.1 Horizon scanning, intelligence and risk?

How do you include systematic gender analysis of areas at risk of conflict, including gender disaggregated socio-economic indicators, power over resources and decision-making, increases in sexual and gender-based violence, on-line and other threats of violence against women in public life, journalists and those providing humanitarian assistance?

As MOD we consult NAP 1325 civil society signatories for more and accurate input on the gender analyses. We conduct a country specific gender analyses before every mission.

How do you incorporate a gender perspective into actions preventing and combatting the tensions, which lead to conflict, such as increases in sexual and gender-based violence, terrorism, violent extremism and human trafficking?

All our troops receive a pre-deployment training in which a module on gender in military operations is included. They will have knowledge on integrating a gender perspective during their mission and the actions they execute.

What is the role of your military, police and other security personnel in such activities?

Depending on the specific mission end state military personnel could be involved in executing patrols, provide safety and security for the local population, information gathering and reporting.

2.2 Planning.

How do you incorporate a gender perspective into operational planning?

1. Development of a gender in operations planning guide for the integration from a Gender Perspective in the operations planning process and the cooperation between gender experts and planning experts
2. Build and train a Gender Focal Point network that can contribute to the Operations planning process in their own functional area
3. Participating as GENAD to all the Operational Planning meetings
4. Support planners in the development of all the products that contribute to the operations planning process

How do you plan to address and gather information from local women's populations in areas at risk of conflict?

1. Get in contact with civil and Military Gender experts in the Area of operations.
2. Cooperate with IO/NGO gender platform in the Netherlands
3. Synchronize with general country analysis in our own MOD
4. Open source research

2.3 Awareness and understanding of WPS at all levels and types of security personnel.

What training do you give on incorporating a gender perspective and protecting the rights of women and girls to security personnel at basic education, officer training and specialized in-service training?

1. Cooperation with and advice to education and trainings facilities integrating GP in their already existing Training curricula
2. Online training modules for Gender Awareness
3. Tailor made training products/modules for specialized in service training
4. Tailor made Gender training of Trainings course for instructors and trainers working at ETFs

How do you train security personnel to protect women and girls, men and boys from sexual and gender-based violence?³

Integrate the topic in training products mentioned above

2.4 Vetting of security personnel, especially pre-deployment

What measures do you take to vet and prevent the recruitment, retention, promotion and deployment of security personnel with a record of sexual or gender-based violence or other violations of human rights?⁴

All personnel is vetted before taking service.

³ See also similar question 6a in the NATO Sexual Exploitation and Abuse (SEA) Implementation Progress Report.

⁴ See also similar question 2 and 8 in the NATO Sexual Exploitation and Abuse (SEA) Implementation Progress Report.

2.5 Other preventative measures

What other preventative measures do you have, for example to prevent sexual abuse or sexual exploitation on deployments and other forms of engagement of security forces abroad?⁵

All staff going on mission will follow mandatory modules on SEA.

3 Leadership, accountability and assurance

3.1 Integrating WPS into the command climate

How do you integrate a gender perspective and WPS into your policy and operational framework, including military manuals, national security policy frameworks, codes of conduct, protocols, standard operating procedures and command directives?

Support and advise to functional experts by: Analyses, planning and product development on the integration of Gender Perspective following the tasking captured in the Defence Action Plan (DAP) 1325

3.2 Accountability and Performance assessment

What measures, systems or procedures do you have on individual and collective accountability for acting in accordance with such policies or directives?

1. Leadership support and ownership through the mechanism of a steering committee
2. Gender experts structure on strategic and operational level
3. Direct access of the Gender adviser to Deputy CHOD
4. Annual reporting on the progress of the Defence Action Plan 1325
5. Commanders of the different services (Army, Air force, Navy and Military Police) are being asked twice a year to report on the progress on gender integration.
6. Annual meeting with Steering committee of the Defence Action Plan 1325

3.3 Assurance

How do you provide specialist advice to operational commanders on WPS?

Through their own gender experts

What systems or measures do you use to co-ordinate specialist advice on WPS throughout your security forces and to provide democratic oversight?

Monthly meetings with all gender experts 1325 at the different levels, regular bilateral communication, close cooperation, mentoring

⁵ See also similar question 7 in the NATO Sexual Exploitation and Abuse (SEA) Implementation Progress Report.

4. Sharing of good practice

How do you share good practice and learn from others?

Meetings, online information sharing, reporting, organization of events.
NATO online lessons learning platform.

3.2 PARTICIPATION

A. Checklist of key measures taken by participating States

Please indicate if your State has the following measures in place to increase women's participation in security forces and decision making, including at all stages of any peace-making process. More detailed information of such measures can be included in Part B below.

	Type of Measure	Yes	No
1.	Collection and monitoring of sex disaggregated statistics on applicants to armed forces	x	
2.	Policies to attract female candidates (targeted campaigns, review of accession tests etc.)	x	
3.	Policies to promote equal opportunities for women and men across the security sector	x	
4.	Collection and monitoring of sex disaggregated statistics of armed forces personnel: <ul style="list-style-type: none"> - By rank - By promotion - By retention 	x	
5.	Collection and monitoring of sex disaggregated statistics of complaints by armed forces personnel of: <ul style="list-style-type: none"> - Discrimination - sexual harassment - gender based harassment - sexual violence - gender-based violence 	x	
6.	Collection and monitoring of sex disaggregated statistics of complaints by civilian personnel in the security sector of: <ul style="list-style-type: none"> - discrimination - sexual harassment - gender based harassment - sexual violence - gender-based violence 	x	

7.	Anonymous staff surveys/climate assessment surveys or similar (monitoring incidences of behaviour contrary to military standards of conduct)	x	
8.	Collection and monitoring of sex-disaggregated statistics of: - personnel deployed on operations and peace-keeping missions - and by rank	x	
9.	Collection and monitoring of sex-disaggregated statistics of decision makers in the security sector	x	
10.	Other related information, clarification or details to share:		

B. More detailed information for sharing good practice on participative measures between participating States

1. Measures to increase the number of women in general and in decisionmaking positions in the armed forces and the ministry of defence (and other security forces-optional).

1.1 What are the numbers and percentages of women and men applying for and recruited to your military forces?

Number and percentage women and men applying for MOD 2023				
MOD	Total	Men	Women	Unknown
NAVY	3057	2652 (87%)	345 (11%)	60 (2%)
ARMY	9510	8129 (85%)	1183 (12%)	198 (2%)
AIRFORCE	4972	4047 (81%)	800 (16%)	125 (3%)
MIL. POLICE	2852	2198 (77%)	574 (20%)	80 (3%)
Total	20391	17026 (83%)	2902 (14%)	463 (2%)

Men and Women recruited - 2023				
MOD	Total	Men	Women	Unknown
NAVY	636	512 (81%)	86 (14%)	38 (6%)
ARMY	1922	1574 (82%)	209 (11%)	139 (7%)
AIR FORCE	622	502 (81%)	101 (16%)	19 (3%)
MIL. POLICE	414	303 (73%)	81 (20%)	30 (7%)
Total	3594	2891 (80%)	477 (13%)	226 (6%)

1.2 What are the numbers and percentages of women and men in your military forces, disaggregated by rank?

Number of Men within the Military in 2023

Militair - Men	ARMY	AIR FORCE	NAVY	MILITARY POLICE	Total
OR-1 utai OR-4	7.029	1.050	2.465	1.135	11.679
OR-5 utai OR-9	5.415	3.496	3.230	3.889	16.030
OF-1 utai OF-2	1.697	1.271	949	505	4.422
OF-3 utai OF-5	1.951	1.153	853	332	4.289
OF-6 and above	45	22	30	9	106
Total	16.137	6.992	7.527	5.870	36.526

Percentage of men within the Military in 2023

Military - Men	ARMY	AIR FORCE	NAVY	MILITARY POLICE	Total
OR-1 utai OR-4	91,8%	87,8%	89,6%	82,8%	90,0%
OR-5 utai OR-9	92,9%	89,7%	86,8%	82,6%	88,3%
OF-1 utai OF-2	82,1%	80,8%	80,0%	77,1%	80,7%
OF-3 utai OF-5	89,0%	87,2%	84,1%	84,3%	87,1%
OF-6 and above	95,7%	81,5%	96,8%	81,8%	91,4%
Total	90,7%	87,2%	86,5%	82,2%	87,7%

Number of Women within the military 2023

Military -Women	ARMY	AIR FORCE	NAVY	MILITARY POLICE	Total
OR-1 utai OR-4	630	146	287	236	1.299
OR-5 utai OR-9	414	400	493	817	2.124
OF-1 utai OF-2	370	302	237	150	1.059
OF-3 utai OF-5	241	169	161	62	633
OF-6 and above	2	5	1	2	10
Total	1.657	1.022	1.179	1.267	5.125

Percentage of women Within the military in 2023

Military -Women	ARMY	AIR FORCE	NAVY	MILITARY POLICE	Total
OR-1 t/m OR-4	8,2%	12,2%	10,4%	17,2%	10,0%
OR-5 t/m OR-9	7,1%	10,3%	13,2%	17,4%	11,7%
OF-1 t/m OF-2	17,9%	19,2%	20,0%	22,9%	19,3%
OF-3 t/m OF-5	11,0%	12,8%	15,9%	15,7%	12,9%
OF-6 and above	4,3%	18,5%	3,2%	18,2%	8,6%
Total	9,3%	12,8%	13,5%	17,8%	12,3%

1.3 If you regularly analyse retention and promotion statistics disaggregated by gender and rank, what are the trends and what action, if any, are you taking as a result?

Number of men and women receiving a promotion

Military	2019	2020	2021	2022	2023
Men	5.824	5.786	5.529	5.639	5.301
Women	661	658	678	825	748
Total	6.485	6.444	6.207	6.464	6.049

Percentage of men and women receiving a promotion

Military	2019	2020	2021	2022	2023
Men	89,8%	89,8%	89,1%	87,2%	87,6%
Women	10,2%	10,2%	10,9%	12,8%	12,4%

For the purpose of staff retention and as a good employer, the Ministry of Defense considers it important to invest in increasing employee satisfaction. The Ministry of Defense conducts structural research into both motivational aspects and intention to leave with the aim of improving the ability of the Ministry of Defense and the defense units to eliminate dissatisfiers of employees where possible.

Motivational aspects

- Atmosphere and collegiality
- Work content
- Job and income security
- Work-life balance
- Challenging work
- Space for personal growth and development

Reasons to leave

- Organization management/structure
- Combination between work/travel time and home
- Working conditions and salary
- Job assignment system
- Lack of career development and training
- Work pressure

1.4 What are the numbers and percentages of complaints raised by women and men about discrimination, harassment, sexual or gender-based violence?

We do not have a division of complaints raised by women and men. For 2023 the number are not published yet.

Registered complaints in 2022:

Intimidation	120
Sexual intimidation	44
Agression	15
Discrimination	27
Bullying/harassing	91
Slander	58

1.5 How do you monitor outcomes?

The Ministry of Defence has a reporting structure for defence employees who have reported an integrity violation or suspicion of misconduct. This can be done with the immediate superior or to the Defence Integrity Disclosure Office (MID). The MID is independent within the organization. For complaints Defence has a complaints procedure which is currently being updated. Complaints can be submitted to the direct superior of the person

1.6 How is a gender-perspective integrated into a ‘climate assessment’ or similar anonymous staff survey, if used?

2 Measures to increase the numbers of women and specialist WPS advisers in peacekeeping forces.⁶

2.1 What are the numbers and percentages of women and men in peacekeeping forces, disaggregated by rank?

NATO_GR_GP	Men/Women	ARMY	AIR FORCE	NAVY	Mil. POL	Total
OF-6 and above	M	1				1
	F			1		1
OF-3 utai OF-5	M	62	19	53	3	137
	F	5	4	12	8	29
OF-1 utai OF-2	M	135	68	118	12	333
	F	28	11	29	8	76
OR-5 utai OR-9	M	337	135	503	77	1052
	F	28	15	64	7	114
OR-1 utai OR-4	M	784	44	457	1	1286
	F	45		61		106
	M	1319	266	1131	93	2809
	F	106	30	167	23	326
	Total	1425	296	1298	116	3135

⁶ See also similar question B1 in form to input to UN SG UNSCR 1325 report.

2.2 What are the numbers and percentages of international missions to which you appointed Gender Advisers, Gender Focal Points or Women Protection Advisers?

In 2023 we had Gender Advisors in the following missions:

- UNIFIL, Lebanon
- USSC (United States Security Coordinator), Ramallah

Within the EUFOR Mission in BIH we currently have a Gender Focal Point appointed within our own troops.

3 Democratic oversight of Security Forces and WPS

3.1 How do your security forces publicize, report on and account for their actions on policies and plans related to WPS?

- Mandatory report to Governance institutions and on request
- Input to different international reports such as OSVE, NATO, UN and others.

3.2 What is the representation of women in decision-making positions in institutions ensuring democratic oversight and public scrutiny?

Currently we have:

- Female generals : 8
- Female Senior Civilian officers : 13

3.3 PROTECTION

A. Checklist of measures taken by participating States

Please indicate if your State has the following protective measures in place. More detailed information of the protective measures can be included in Part B below.

	Type of Measure	Yes	No
1.	Specialist Advisers on WPS: - Gender Advisers - Gender Focal Points - Women Protection Advisers	x	

2.	Policies to protect women and others in conflict and post-conflict areas from sexual abuse and exploitation by your State's security personnel ⁷	x	
3.	Policies, which set out the duties of commanders and other superiors to prevent abuse or exploitation by their subordinates.	x	
4.	Collection and monitoring of reported cases of exploitation and abuse allegedly perpetrated by military, para-military and security forces: -referred -investigated - acted upon	x	
5.	Measures to increase your State's capacity to investigate alleged violations of human rights and fundamental freedoms in areas of conflict or post-conflict including sexual and gender-based violence ⁸	x	
6.	National legislation conferring powers to prosecute alleged extraterrestrial violations of human rights	x	
7.	Other related information, clarification or details to share:		

B. More detailed information for sharing good practice on protective measures between participating States

1 Measures to embed protection of women and girls in operations and international missions

1.1 How do you define conflict-related violence in your policies, manuals, standard operating procedures and training material?

- Does it include sexual and gender-based violence, forced sterilizations and abductions, also of men and boys, and forced pregnancy and forced abortions?

No data available.

- Does it include victims of terrorism or other armed groups?

No data available.

1.2 Number and percentage of participating State's international missions that address specific issues affecting women and girls in their terms of reference and the mission reports.

⁷ See also similar question B2 in form to input to UN SG UNSCR 1325 report as well as question 3a in NATO Sexual Exploitation and Abuse (SEA) Implementation Progress Report.

⁸ See also similar question 4a in similar question in NATO Sexual Exploitation and Abuse (SEA) Implementation Progress Report.

No data available.

2 How are military, para-military and security forces trained to respond to sexual violence and gender-based harm?

Mandatory pre-deployment training.

2 Investigating alleged violations

2.1 How do you identify, record, investigate and prosecute any alleged violations, cases of exploitation and abuse perpetrated by military, para-military and security forces? What experience do you have of such investigations and prosecutions?

No data available, but we do have solid investigation procedures when it occurs.

2.2 What are the number and percentage of reported cases of exploitation and abuse allegedly perpetrated by military, para-military and security forces that are referred, investigated and acted upon?

No data available.

2.3 How do you ensure access to justice for victims of conflict related violence including cases of exploitation and abuse by military, para-military and security forces?

No data available.

3 Other measures to protect women and girls

3.1 What lessons could you share in relation to protective measures?

3.4 SUSTAINING PEACE

A. Checklist of key measures taken by participating States

Please indicate if your State has the following measures in place to sustain peace, especially with regard to relief and recovery and to post-conflict situations. More detailed information of such measures can be included in Part B below.

	Type of Measure	Yes	No
1.	Measures to ensure the involvement of women from the outset in seeking a peaceful settlement of potential or actual conflicts.	x	

2.	Measures to support those who have experienced sexual or genderbased violence during or post-conflict to support their recovery from trauma	x	
3.	Measures to support the role of women as agents of change and transformation in areas emerging from conflict	x	
4.	Measures to support capacity building in the security and other sectors of fragile states or post-conflict situations to protect human rights and fundamental freedoms, especially relating to women and girls	x	
5.	Other related information, clarification or details to share: NL has adopted a Feminist Foreign Policy and therefore uses the gender perspective in all foreign policy. Within our official development aid, the Netherlands implements a gender marker.		

B. More detailed information for sharing good practice between participating States

1.1 How do security personnel support and seek to embed the involvement of women in peacekeeping and throughout the peace building and post -conflict process?

1.2 What training are your security personnel given as regards survivor focus?

1.3 What roles do your security personnel or other personnel play in support of demobilisation, access to humanitarian assistance or to facilitate re-integration post-conflict?

Depending on the mission.

1.4 What lessons could you share in relation to recovery and relief issues in the WPS agenda?

3.5 Final reflections

1. What do you consider biggest obstacles as well as what are the priorities for your country on WPS in the context of the Code of Conduct?

The Dutch military has a code of conduct and all personnel serving under the flag of UN, OSCE, NATO or the EU are required to follow the code of conduct of that organization.

2. Would you like to share any additional information, clarification or details?

The Netherlands MoD and MFA i.c.c.w. the Spanish MoD and MFA are organizing a “Gender in Operations Course” 4 times a year (since 2011), which is open for military, diplomats and civilians. This course addresses gender in SSR and DDR, the role women can play in peace processes, CRSV and PoC, SEA, Gender analyses and the role of a gender adviser.