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

NOTE VERBALE

OVSE-0008-13

The Permanent Representation of the Kingdom of the Netherlands to the Organisation for Security and Co-operation in Europe presents its compliments to all Permanent Representations to the OSCE and to the 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 2012.

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

Vienna, 15 April 2013



To: All Permanent Representations to the OSCE
The Conflict Prevention Centre

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

ENGLISH only

NETHERLANDS RETURN 2013

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, subregional 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?

All relevant UN, EU and Council of Europe CT-instruments as mentioned in the annex, are implemented in the Netherlands Penal Code and Code of Penal Procedure.

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?

Preventing and combating terrorism is the primary task of the National Coordinator for Counterterrorism and Security (NCTV). He/She coordinates the activities of the responsible ministries (Internal Affairs and Security & Justice). Within the Netherlands the ministry of Defence and thus the military have a supporting role.

Combatting terrorism is one of the main tasks of the National Investigation Unit of the Dutch Police Force. This Unit provides the Dutch Police Force with high quality technical, legal and strategic support related to combating organized crime and terrorism. On the basis of the Police Act and the Disasters and Major Accidents Act, civil authorities are able to call upon Defence as a structural partner for military support in case of a terrorist attack.

The Defence organization carries out specific activities in support of civilian authorities such as providing intelligence, protection and security. The Royal Netherlands Marechaussee and the Defence Intelligence and Security Service (MIVD) play a prominent role in this area. Furthermore there are permanent tasks such as a Special Interventions, EOD and renegade situations. There is a combined (police-military) Special Intervention Service and a Intervention Unit Marines readily available for combating terrorism, hostage situations, organized crime, etc. Under command of the Ministry of Security & Justice the air force QRA will respond to 'renegade' situations. All EOD-support is provided by the military.

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 converts all relevant UN resolutions and EU regulations on financing of terrorism into national rules and regulations, and implements them accordingly. For example, financing of terrorism is criminalized and implemented in the Netherlands Penal Code, with more than 10 implementing and intelligence agencies involved in combatting financing of terrorism. Also, the Customs Department actively checks on the passengers carrying money and valuables (liquid assets) worth € 10,000 or more across the border. Another example is that assets of internationally or nationally listed terrorists and terrorist organizations are being frozen.

— Border controls;

In the context of border control, the Royal Netherlands Marechaussee helps fighting terrorism on

the basis of information provided by other organizations such as the AIVD (the General Intelligence and Security Service of the Netherlands) or the NCTV (National Coordinator for Counterterrorism and Security).

At the border the Royal Netherlands Marechaussee checks whether someone is identified as an “undesirable alien”. The Royal Netherlands Marechaussee is only authorized to act if this information is provided by other Dutch organizations as mentioned before. The Royal Netherlands Marechaussee may also, at the request of the AIVD, be alert on certain issues and pass this information through to the AIVD.

— Travel document security;

No specific measures on travel document security are taken. In general every 5 years a new passport model is issued, in order to prevent document forgery. Besides that, the passport issuing authorities must check the identity of every applicant of a travel document.

— Container and supply chain security;

In accordance with the ‘*Accord européen 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 NL 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. NL is currently implementing the new obligations.

— Security of radioactive sources;

As of 1 April 2013 the Netherlands has adopted new legislative measures, in accordance with the EU CBRN/e-Action plan, the IAEA TECDOC-1344 and the CoC on the Safety and Security of Radioactive Sources, to ensure the security of radioactive sources. License holders who are allowed to possess radioactive sources are obliged to take the necessary precautions against misuse and theft. Besides, license holders are obliged to have an up-to-date security program describing the relevant security measures taken to protect radioactive sources. The effects of these legislative measures will be reviewed in 2015. An assessment whether adjustments are desirable will be made based on the results of this review.

— Use of the Internet and other information networks for terrorist purposes;

The Dutch government has a formal Counter Terrorism Strategy, which also addresses terrorist use of the Internet. The Dutch government, with the National Coordinator for Counterterrorism and Security (NCTV) as its primary responsible agency, has a program specifically aiming to reduce terrorist use of the Internet (Program Internet & Terrorism). Within this program the NCTV will continue the dialogue with its national Internet community, carry on streamlining national activities and maintain a focus on cooperating with its European partners.

— Legal co-operation including extradition;

The Netherlands are party to various bilateral and multilateral treaties, including UN-conventions. These treaties have all been implemented in national legislation and can serve as a legal basis for extradition and mutual legal assistance. For terrorism, 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. If a foreign request for assistance is based on one of these treaties, the Netherlands can render legal assistance in broad terms. Extradition is also possible on the basis of these treaties. These treaties are actually used for legal cooperation in criminal matters between the Netherlands and other countries.

- Safe havens and shelter to terrorists and terrorist organizations.

This is not an issue of concern coming out of the periodic (three monthly) terrorist threat analyses. The prevention of terrorist safe havens / shelters is therefore tackled within the framework of the overall Dutch counterterrorism policies, involving a mix of prevent and ‘pursuit’ measures and a multi-agency approach in accordance with the Dutch Counterterrorism Strategy.

2. Stationing of armed forces on foreign territory

2.1 Provide information on stationing of your States 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 Organisation 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.

The Belgian-Netherlands naval cooperation has a common operational HQ established in Den Helder and both navies make use of existing facilities in the Netherlands and in Belgium for both educational and logistic purposes. Around 30 Dutch Navy personnel is stationed in Belgium, for maintenance and operational support of the MCM (Mine Countermeasures) vessels in Zeebrugge and within the framework of the Belgian-Netherlands Naval Mine Warfare School, located in Oostende. For maintenance and operational support of the M-frigates in Den Helder and the common operational HQ about 30 Belgian Navy personnel is stationed in Den Helder.

The headquarters of 1 (German/Netherlands) Corps was established in 1995 and is located in Münster, Germany; it is one of the NATO High Readiness Forces (Land) Headquarters. Most of the positions (some 440) are divided equally between Germany and the Netherlands; some 70 positions are reserved for military personnel from other NATO and EU member states.

Since September 2008, ten NATO member states including the Netherlands and two Partnerships for Peace (PfP) nations have established a Strategic Airlift Capability, The Heavy Airlift Wing (HAW), at Pápa Air Base in Hungary. The HAW operates three C-17 aircrafts. The Netherlands contributes to this multinational consortium with 25 (RNLAF) military personnel.

Various numbers of military personnel are assigned to (multinational) military staffs in different countries.

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 arms control, disarmament and confidence and security building measures and regularly reports thereof to the UNODA and OSCE.

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 Wassenaar Arrangement and the EU Common Position on Arms Exports 2008/944/CFSP and takes part in the Council Working Group COARM to promote harmonization of export controls between EU partners. The adoption of the UN Arms Trade Treaty is an important step forward in strengthening export controls at the global level. The Netherlands seeks to sign and ratify on the shortest possible notion, and will support the universalisation and implementation of the treaty. The Netherlands is a State Party to both the Treaty on Conventional Armed Forces in Europe (CFE Treaty) 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 actively part in the various negotiating forums within the OSCE framework.

In the realm of nuclear safety and security and within the framework of the G8 Global Partnership and the Global Initiative to Combat Nuclear Terrorism (GICNT), the Netherlands contributes to a US Nuclear Smuggling Outreach Initiative programme in Kazakhstan aiming to localize, secure and remove radiological remnants (so-called 'orphaned sources') of Soviet-era nuclear tests.

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?

Determining priorities in national defence planning requires a common understanding of the relationship between ambitions, tasks, capabilities and means. In order to improve this understanding a methodology has been developed, that reflects jointness and NATO and EU priorities. This methodology is the leading principle for the national planning system, called the Policy-Plan-Budget Cycle.

The Policy-Plan-Budget procedure contains a four year and an annual cycle. The Policy Directive is the leading strategic document issued by the Dutch government at the beginning of a four year government term. The Policy Directive provides political and policy input for the Defence Plan. The Defence Plan presents a more detailed picture of the four year plan. This Plan explains the relationship between the policy, the planned expenditures and capability development versus activities, personnel and equipment. This document serves as the basis for the annual budget plan. The Chief of Defence, as the corporate planner, formulates this integrated proposal to be 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 interest 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 the supreme authority over the armed forces. Its security and defence policy is subject to parliamentary control. Civilian guards employed by the ministry of Defence are considered paramilitaries, and as part of the Ministry of Defence are subject to the same political control. The Netherlands' intelligence services, one of which is military in nature (Defence Intelligence and Security Service, MIVD), are subject to legal restraints and parliamentary control as well. Art. 100 of the Constitution requires that parliament is informed about missions in support of the international legal order.

Dutch law entrusts the General Intelligence and Security Service (AIVD) with a number of tasks. They are described in Article 6, Clause 2, subclauses a-e of the Intelligence and Security Services Act 2002 (*Wet op de inlichtingen- en veiligheidsdiensten, Wiv 2002*). In carrying out those tasks, the service may make use of special investigative powers, which are also set out in the legislation. The Minister of the Interior and Kingdom Relations bears responsibility for the proper performance of the AIVD's tasks. The AIVD performs its tasks in the interests of national security. As defined in the Wiv 2002, this comprises protection of the democratic legal order, national security or other important interests of the Dutch state.

The Minister of the Interior and Kingdom Relations is ultimately responsible for the proper functioning of the AIVD. The service reports to the minister, who in turn is accountable to the Lower House of Parliament. The minister fulfils this obligation in public as much as possible and, where this is not possible for reasons of confidentiality, to the Intelligence and Security Services Committee (*Commissie voor de Inlichtingen- en Veiligheidsdiensten, CIVD*) of the Lower House.

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 responsible to Parliament for the implementation of the outlined policy priorities and the operational objectives set. The Parliament has the competence for allocating 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. Since the entry in force of this Act on 1 January 2013 there is one national police force in the Netherlands, instead of several regional police forces. The Minister of Security and Justice is responsible for the national police force.

The fulfilment of the procedures for ensuring democratic political control of the AIVD is ensured by the before mentioned Intelligence and Security Services Committee of the Lower House. In addition, an independent body – the Intelligence and Security Services Supervisory Committee (CTIVD) – oversees compliance with the Intelligence and Security Services Act 2002 (Wiv 2002) and the Security Screening Act (Wvo) by the AIVD and the MIVD.

Article 34 of the Wiv 2002 requires that, five years after the completion of certain investigations involving its special powers, the AIVD review whether the subjects can be notified that they were investigated. The service has not issued any such notifications since this requirement entered force on 29 May 2007, five years after the enactment of the Wiv 2002.

Under freedom of information rules, anyone is entitled to submit a request to inspect information the AIVD may hold about them.

Each person is entitled to file a complaint with the National Ombudsman on the actions or the alleged actions of the relevant Ministers, the heads of the services, the co-ordinator and the persons working for the services and for the co-ordinator, with respect to a natural person or legal entity in the implementation of this act or the Security Investigations 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 explicitly describes two principal missions for the armed forces:

- the defence of national and allied territory, including the Caribbean parts of the Kingdom;
- promoting the international rule of law and stability.

A third principal mission for the armed forces is supporting and assisting 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 1993 Police Act. Such activities are always executed under civilian authority and within the legal framework for such activities.

See also 2.1 and 2.2. The overall control for ensuring the armed forces act solely within the constitutional framework lies with Parliament. The Minister of Defence is politically responsible 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.

The General Intelligence and Security Service (AIVD) safeguards the national security of the Netherlands by identifying threats, political developments and risks which are not immediately visible in a timely manner. To this end, it conducts investigations both inside and outside the country. Where necessary, the AIVD shares information so that partners and other interested parties can take appropriate measures. The AIVD identifies risks and advises and mobilises third parties. If necessary, it

actively works to reduce risks itself. The service thus has a clear position in the network of official organisations dedicated to the protection of national and international security.

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 Netherlands has suspended military conscription in 1997 and the legislation has been changed accordingly. However, if the military necessity were to arise, conscription can be resumed and reservists can be drafted. On a voluntary basis reservists can 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 disciplinary rules are almost entirely shaped after civil law and do not infringe upon the civil rights of the military personnel. Only during military operations in times of war or in peace support operations, these civil rights can be limited. 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?

International humanitarian law is instructed to all military personnel, as well as other relevant international conventions and commitments, for instance those within the framework of the United Nations or the North Atlantic Treaty Organisation. Particular attention to this subject is given in the Soldiers and Officers Handbooks.

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 both humanitarian law and penal law. Additionally, attention is given to this subject 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. 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.

There is also parliamentary oversight through the means of the art. 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 organise 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 military.

Political neutrality is ensured through the civilian control of the military.

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

Under the obligations derived from art. 36 of the 1st 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 on conventional use of force and international law which ensures such adherence. Furthermore, legal advisors are present at different levels of command to advise commanders on international law in accordance with art. 82 of Additional Protocol I 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 at the OSCE Website www.osce.org/fsc. No additional information directly related to the Code of Conduct is provided.

Through the NL MoD's Directorate of Public Information 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 social media, websites (<http://www.defensie.nl/>), audio-visual materials, briefings and publications. Besides this active way, there is ample opportunity for the press and the public to put forward questions related to the armed forces. They can also request an inspection of any non-classified defence document. In addition, media can embed with virtually all units deployed on any mission, limited in their reporting only in operational and personal security matters, to protect the troops, the mission and the journalists themselves. To stimulate this embedded journalism, the NL MOD regularly organises press trips to areas of operations where Dutch troops are deployed. The public access to information related to the armed forces is based on the Netherlands Act on Public Access to the Government information of 31 October 1991.

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
2500 EB The Hague
Tel. +31-70 348 5814
E-mail: dvb-vd@minbuza.nl

ANNEX I
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 Materials, 3 March 1980, Vienna (entry into force for the
Netherlands: 6 October 1991).
- 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).
- 3) Agreement between the Government of the Kingdom of the Netherlands and the Government of the United
States of America on enhancing cooperation in preventing and combating serious crime, 19 November 2010,
The Hague (treaty not yet entered into force).

ANNEX II

Gender mainstreaming and the Dutch armed forces

Organisation

The Dutch armed forces are a voluntary professional organisation. Dutch servicewomen are integrated into the units and serve under the same rules and regulations as men. Requirements in terms of training standards, performance levels and discipline are equal. Servicemen and women have the same obligation to serve in the event of mobilisation.

Deployments (i.e. peacebuilding operations, peacekeeping operations etc.)

Female military personnel have the same opportunities to develop their career as male military personnel (except in the Marine Corps and the Submarine Service). Dutch servicewomen have participated in various mission areas all over the world in support of Peace Support Operations and other humanitarian operations. The operations mostly last 4 to 6 months. According to regulations, “the military personnel of the armed forces, both men and women, serve under the obligation to be fit for duty abroad. Deployment is not on a voluntary basis. Women with one or more children under the age of five are not deployed abroad, unless operational reasons make it absolutely necessary.

The UN Security Council adopted Resolution 1325 on ‘Women, Peace and Security’ in October 2000. On the one hand, the resolution calls for the role of women to be increased in the planning, preparation, decision-making and execution with regard to peace missions, and on the other hand for more attention to be paid to the effects on women of conflicts and peace operations. The resolution provides a general framework for the integration of gender aspects into policy surrounding international peace and security. The government’s point of view in respect of ‘gender mainstreaming¹’ was established in 2001. Gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes in such a way that the perspective of gender equality is integrated into all policy.

Preconditions in this regard are as follows:

- commitment at the senior level;
- explicit gender policy with clear objectives and responsibilities;
- availability of gender expertise, and
- availability of resources and instruments.

UN Resolution 1325 and the government’s viewpoint on gender mainstreaming ensured that equal opportunities policy was given new impetus in the form of gender policy.

In 2002, A civil service working group assessed whether there was a need for new policy in order to properly implement the resolution. The working group concluded that attention was being paid in many areas to women and gender issues and that work was necessary at unit level only with a view to the further embedding of the theme of gender in Foreign and Defence policy. These conclusions were submitted to the House of Representatives in a joint report on 26 March 2003; the report contained the following points for the Ministry of Defence:

1. gender needs to be embedded in training and instruction;
2. the gender perspective needs to be integrated into peace operations;
3. gender mainstreaming;
4. a well-balanced composition of male/female Defence employees needs to be achieved; this is to include deployments.

The above conclusions led to a change of direction. First of all, the focus was shifted from the equal opportunities process in personnel policy to gender in the core business of the Defence organisation, namely crisis management operations. The four above mentioned points became the subprojects in our policies. Another shift of focus was that from policy development to policy implementation.

In December 2008 the Ministries of Foreign Affairs and Defence organised a symposium about gender in operations on the first anniversary of the Dutch National Action Plan 1325. The most important promises from

¹ Government Viewpoint on Gender Mainstreaming, a strategy of quality improvement, Ministry of Social Affairs and Employment, June 2001.

the Ministry of Defence were that gender should become a structural part of missions (preparation, deployment and evaluation). Other assurances that were given:

1. Additional Gender Expertise is needed
2. Gender experts need to be sent on missions more often
3. More female interpreters are needed (especially in Afghanistan)
4. Follow up-meeting will be held in December 2009

Since this first symposium on gender in operations, the Ministry of Defence and Foreign Affairs combined their efforts and a yearly symposium has been organised. Besides these symposia the two ministries work together on specific gender training for their key leaders. In 2011 the Ministries of Defence and the Ministries of Foreign Affairs of Spain and the Netherlands realized a course for military and civilian middle-management called "The Comprehensive Approach to Gender in Operations". The aim of this practical and scenario-based course is to improve operational effectiveness by equipping students with the necessary knowledge and skills to plan for and operationalize the three P's: protection, participation and prevention. The course, accredited by the European Security and Defence college, is presented twice a year and in the four editions held so far 200 participants from over 25 countries, and from various international organizations have taken part in this course.

When assessing the objective of deployments, the gender perspective is emphatically included in the considerations. This means that attention is paid to the effects of a Dutch deployment on women and men in the unit to be deployed, as well as on local women and men. Attention is also paid to involve women in the process of peace-promoting activities and reconstruction, and to ensure that women and girls are protected from sexual violence and acts of war.

In order to properly harmonise policy and practical solutions, various working conferences have been organised, involving military personnel from the operational staffs of all armed forces, in close cooperation with the Ministry of Foreign Affairs. One of the aims of such conferences is to give concrete interpretation of Resolution 1325 in respect to deployments, by consciously employing female military personnel in, for example, house-to-house searches and roadblocks. In practice, this appeared to have an extremely favourable influence on relations with the local population.

During the reconnaissance for the Provincial Reconstruction Team (PRT) operation in Afghanistan, gender aspects were included as an item, and a specific briefing on gender was given during the formation and activation orders. The conclusions of the above findings must be disseminated within the armed forces. There was a need for a (standard) checklist that can be used during the reconnaissance and preparations for an operation.

In order to give further shape to this checklist, a pilot project was set up in which a gender expert looked at the issue of crisis management operations, by actually joining such an operation on a temporary basis. The gender expert came up with concrete advice indicating how the integration of gender aspects can improve the quality and effectiveness of an operation. By the end of 2007 the gender checklist was approved and is now in use. Whenever a new mission is planned gender is always taken into account.

For example: prior to the mission in Kunduz a gender assessment of the area was conducted. The results of this assessment are implemented in the planning and execution of the mission. During the pre-deployment phase the unit is prepared on gender issues, again in close cooperation with the ministry of Foreign Affairs.

To assure that gender is taken into account in all Dutch missions a gender position is created in the operational staff at the ministry of Defence

Gender Advisor

In October 2009 NATO started with a post for (the first official) a Gender Advisor at ISAF Joint Command (IJC). The Dutch armed forces volunteered to fill this post and started to send their first gender advisor in October 2009. This gives The Netherlands a lot of field experience and knowledge on which we can build further on. Since the end of 2011 the Netherlands fills the position of gender-advisor of RC North.

In 2010 The Netherlands deployed two officers to EUFOR mission ALTHEA in Bosnia Herzegovina who were assigned as Gender Focal Points. This completely different mission adds valuable field experience.

Also in 2010 two Dutch officers, of which one Gender Advisor, worked together with the Dutch Ministry of Foreign Affairs and their Burundian colleges of army, police and NGOs to assess the effectiveness of the

security sector in Burundi. Gender became one of the 3 main priorities within the Burundian strategy for the army and the police.

Conclusion

The Dutch Ministry of Defence stays actively involved in embedding the subject of gender in different – cultural and structural – ways, both inside and outside the Defence organisation. The commitment to gender by the leading officials within the Ministry of Defence as ambassadors will stay and allows gender to establish a structural and permanent embedding of gender policy. There is a willingness to propagate the benefits and necessity of gender policy and to direct management decisions towards it. These aspects and the arrangement of regular meetings make it possible to both broaden the support base and shape international cooperation on gender issues.