

Dutch arms export policy in 2014

Report on the export of military goods
from the Minister for Foreign Trade and Development Cooperation and the
Minister of Foreign Affairs

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1. Introduction

The present report on Dutch arms export policy in 2014 is the 18th annual report drawn up in accordance with the policy memorandum on greater transparency in the reporting procedure on exports of military goods of 27 February 1998 (Parliamentary Papers, 22 054, no. 30). The report comprises:

- a profile of the Dutch defence and security-related industry;
- an overview of the principles and procedures of Dutch arms export policy;
- a description of developments relating to transparency;
- a description of developments within the EU relevant to Dutch arms export policy;
- a summary of the role and significance of the Wassenaar Arrangement;
- a description of developments relating to dual-use goods;
- a description of efforts in the field of arms control, with specific reference to the problem of small arms and light weapons.

Annexe 1 to the report lists the values of export licences issued in 2014 by category of military goods and by country of final destination. *Annexe 2* shows the trend in Dutch arms exports for the period 2005-2014. *Annexe 3* provides an overview of licences worth over €2 million issued for dual-use items with a military end use. *Annexe 4* contains an overview of licences issued for the transit of military goods to third countries. *Annexe 5* lists the denial notifications issued by the Netherlands to EU partners. These notifications are shared among partners in accordance with Article 4 of Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment, formerly the EU Code of Conduct on Arms Exports. *Annexe 6* provides an overview of the sale of surplus defence equipment in 2014. *Annexe 7* lists the government's letters to and responses to written questions from the House of Representatives concerning Dutch arms export policy in 2014. Finally, *Annexe 8* contains letters from the government to the House of Representatives that constitute expedited notification of several high-value licences.

2. The Dutch defence and security-related industry

With very few exceptions, the Dutch defence and security-related industry consists mostly of civil enterprises and research institutions with divisions specialising in military production. The sector provides over 14,000 jobs and consists of 451 dedicated companies, almost 300 of which are actively involved in the defence and security-related industry. It is characterised by high-tech production, frequent innovation and a highly educated workforce, a combination that guarantees high-quality products that are also popular in foreign markets. Exports account for no less than 70% of turnover, while 32% of the jobs in the sector can be classified as research and development (R&D). Over 60% of the people employed in the sector are qualified at HBO (higher professional education) level or above. The sector is therefore of great economic importance and possesses a strong innovative capability. It not only contributes directly to equipping the Dutch

army but also contributes to the operational capabilities of the Dutch armed forces through its close cooperation with the various elements of the Defence organisation. By extension, it enhances the standing and effectiveness of the Netherlands' contributions to international missions.

Based on the operational interests and requirements of the Defence organisation, the government's policy is aimed at positioning the Netherlands' defence and security-related industry and knowledge institutions in such a way that they are able to make a high-quality contribution to Dutch security. This will also enhance their competitiveness in the European and international markets and within supply chains. To this end, Dutch companies are involved in national military tenders either directly or, where possible, indirectly through industrial participation. This policy is described in the Defence Industry Strategy (DIS) that was presented to the House of Representatives in December 2013.¹

Because the domestic market is too small to support the available expertise, the government also encourages the Dutch defence and security-related industry to participate in international cooperation in the field of defence equipment. This has led to the establishment of commercial relationships with enterprises from various other countries, including Germany, the US, the UK and Belgium. This also involves joint commitments relating to systems maintenance and subsequent delivery of components. Cooperation also plays an important role in supplying to third countries. The scope for Dutch companies to enter into long-term international cooperative arrangements therefore depends in part on the transparency and consistency of Dutch arms export policy.

The government regards the export activities of the defence and security-related industry as a prerequisite for preserving the Netherlands' knowledge base in this area. This does not alter the fact that limits must be imposed on these activities in the interests of strengthening the international rule of law and promoting peace and security. The government believes that, within these limits, the sector should be allowed to meet other countries' legitimate requirements for defence equipment. In light of these circumstances, the Dutch defence and security-related industry has pursued a policy of increasing specialisation. Companies that focus on exporting military products mostly manufacture high-tech components and subsystems. However, the maritime sector remains able to carry out all production stages from the drawing board to the launch, thus contributing to Netherlands' export of complete weapon systems.

The most recent quantitative data on the defence and security-related industry was made available in 2010 on a voluntary basis by the companies concerned in the context of a study carried out by Triarii at the request of the Ministry of Economic Affairs and was communicated to the House of Representatives by letter of 4 June 2012.² The key figures are as follows:

¹ House of Representatives, 2013-2014, 31 125, no. 20:
<https://zoek.officielebekendmakingen.nl/kst-31125-20.html>.

² House of Representatives, 2011-2012, 31 125, annexe to no. 11.

Table 1: The Dutch defence and security-related industry in figures

Number of companies	451
Defence and security-related turnover in 2010	€3.10 billion
Defence and security-related turnover as a percentage of total turnover	7%
Value of defence and security-related exports in 2010	€2.18 billion
Number of jobs in the defence and security-related industry	14,242
Number of those jobs in the field of R&D	4,554

Source: Triarii 2012

For a number of years, the Netherlands has counted approximately 450 companies – mostly small and medium-sized enterprises – that are engaged in or plan to engage in military production. In this context, it is important to note that military production is defined as production in response to domestic and foreign defence and security orders and not as the production of goods that require an export licence under the Strategic Goods (Import and Export) Decree. This explains the potential discrepancy between the above-mentioned value of defence and security-related exports and the total value of export licences issued.

On average, Dutch military production accounts for an estimated total turnover of €3.1 billion per year. This represents an average share of approximately 7% of the total turnover of the companies and organisations concerned. Most of them therefore focus primarily on developing their civilian activities, and only a few concentrate almost exclusively on the defence market. Military exports account for approximately €2.18 billion of the total value of the Netherlands' defence and security-related exports. The development of advanced knowledge that goes hand-in-hand with military production enables them to innovate products and also forms an important source of military spin-offs and civilian spillovers. Most of these companies report being active in the aerospace sector, followed by the maritime sector, the command, control and communications sector and the information technology sector.

3. Instruments and procedures of Dutch arms export policy

Export licences for military goods are issued on the basis of the General Customs Act (*Algemene Douanewet*) and the associated export control regulations. Companies or persons wishing to export goods or technology that appear on the Common Military List of the European Union³ must apply to the Central Import and Export Office (CDIU) for an export licence. The CDIU is part of the Groningen branch of the Tax and Customs Administration, which in turn falls under the Ministry of Finance. On matters relating to military export licences, which are issued on behalf of the Minister for Foreign Trade and Development Cooperation, it receives its instructions from the Ministry of Foreign Affairs. In principle, licence applications for the export of military goods to NATO and EU member states and countries on a similar footing (Australia, Japan, New Zealand and Switzerland) are processed by the CDIU, on the basis of a procedure formulated by the Ministry of Foreign Affairs. During the year under review, an exception to this rule applied to Cyprus and Turkey. Applications for exports to these two countries – and all other countries – are submitted to the Ministry of Foreign Affairs for decision. In order to verify the compatibility of such applications with Common Position 2008/944/CFSP, which defines the EU's common rules for the export of military technology and equipment, the Minister for Foreign Trade and Development Cooperation seeks foreign policy guidance from the Minister of Foreign Affairs. This guidance plays a key role in the final decision on whether or not to issue an export licence. In the case of applications for exports to developing countries that appear on the DAC list of ODA recipients,⁴ the Minister of Foreign Affairs consults with the Directorate-General for International Cooperation (DGIS).

In the case of licence applications for the export of surplus military equipment of the Dutch armed forces, the Minister of Defence notifies the House of Representatives in advance and, if necessary, on a confidential basis. The disposal of such equipment is subject to the regular licensing procedure, and the Ministry of Foreign Affairs assesses these transactions against the criteria of Dutch arms export policy, just as it does in the case of commercial export transactions.

Transit

Following an amendment to the Import and Export Act in 2001, the classification and assessment procedures of Dutch arms export policy can in certain cases be extended to the transit of military goods through Dutch territory. These transit control procedures have since undergone a number of modifications. Until 30 June 2012, companies seeking to forward military goods to or from Australia, Japan, New Zealand, Switzerland or an EU or NATO member state via the Netherlands were only subject to a reporting requirement. Since 1 July 2012, this reporting requirement has been replaced by a licensing requirement in cases where a transit shipment to or from one of the aforementioned countries is transshipped in the Netherlands. This applies, for example, when a shipment is transferred from a ship to a train, but also when goods are transferred from one

³ Official Journal of the European Union No. C107 of 9 September 2014, available at: <http://eur-lex.europa.eu/legal-content/NL/TXT/PDF/?uri=OJ:C:2014:107:FULL&from=EN>.

⁴ A list of countries that receive official development assistance (ODA), drawn up by the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD).

aircraft to another. If no goods are transshipped, transit shipments to or from Australia, Japan, New Zealand, Switzerland or an EU or NATO member state are subject only to a reporting requirement. The authorities use these reports to build up a picture of the nature and volume of military goods that pass through the Netherlands in transit. On the basis of this information, moreover, they can decide to impose a licensing requirement on a transit shipment that would not normally be subject to such a requirement. This may happen, for example, if there are indications that the country of origin did not check the goods or if the stated destination of a shipment appears to change during transit. Transit shipments to and from countries other than those mentioned above are always subject to mandatory licensing.

4. Principles of Dutch arms export policy

Licence applications for the export of military equipment are assessed on a case-by-case basis against the eight criteria of Dutch arms export policy, with due regard for the nature of the product, the country of final destination and the end user. These eight criteria were initially defined by the European Councils of Luxembourg (1991) and Lisbon (1992) and were subsequently incorporated in the EU Code of Conduct on Arms Exports (1998). On 8 December 2008 the Council of the European Union decided to transform the 10-year-old Code of Conduct into Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment.⁵ The criteria read as follows:

1. Respect for the international obligations and commitments of member states, in particular the sanctions adopted by the UN Security Council or the European Union, agreements on non-proliferation and other subjects, as well as other international obligations.
2. Respect for human rights in the country of final destination as well as respect by that country of international humanitarian law.
3. The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.
4. Preservation of regional peace, security and stability.
5. National security of the member states and of territories whose external relations are the responsibility of a member state, as well as that of friendly and allied countries.

⁵ Official Journal of the European Union No. L 335 of 13 December 2008, pp. 99ff., available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:335:0099:0103:nl:PDF> .

6. Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law.
7. Existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions.
8. Compatibility of the exports of the military technology or equipment with the technical and economic capacity of the recipient country, taking into account the desirability that states should meet their legitimate security and defence needs with the least diversion of human and economic resources for armaments.

The above-mentioned criteria, along with the mechanism for information sharing, notification and consultation that applies when a country is considering an export licence application for a destination for which another member state has previously denied a similar application, continue to form the basis of Common Position 2008/944/CFSP. However, the transformation of the Code of Conduct into the Common Position has also broadened its scope. Brokering, transit, intangible forms of technology transfer and production licences have been brought within the ambit of the Common Position in cases where they are subject to mandatory licensing in a member state.

Albania, Bosnia and Herzegovina, Canada, the Former Yugoslav Republic of Macedonia, Iceland, Montenegro and Norway have officially endorsed the criteria and principles of the Common Position. In addition, Norway shares information regarding licence application denials with the EU.

It goes without saying that the Netherlands fully observes all arms embargoes imposed by the UN, the Organization for Security and Co-operation in Europe (OSCE) and the EU. An up-to-date overview of national measures implementing UN and EU sanctions, including arms embargoes, is available on the government's internet portal:

<http://www.rijksoverheid.nl/onderwerpen/internationale-vrede-en-veiligheid/sancties>.⁶ In addition to the information that appears in this overview, it should be noted that an OSCE embargo against 'forces engaged in combat in the Nagorno-Karabakh area' has been in force since 1992, in accordance with a decision of the Committee of Senior Officials – the predecessor of the Senior Council – of 28 February 1992.

5. Transparency in Dutch arms export policy

The Netherlands maintains a high level of transparency in its arms export policy. The government publishes information on licences issued in annual reports, six-monthly reports and online monthly summaries; most other countries only issue annual reports, which are often more general in

⁶ Due to the online availability of up-to-date information on this issue, the present annual report no longer contains an annexe listing arms embargoes in force during the year under review.

nature. In accordance with an undertaking given by the Minister of Foreign Affairs during a debate on the foreign affairs budget in December 1997, the government presented its policy memorandum on greater transparency in the reporting procedure on exports of military goods to the House of Representatives in February 1998 (Parliamentary Papers, 22 054, no. 30). The present report concerning 2014 is the 18th public report on this subject to have appeared since. It is based on the value of the licences issued by category of military goods and by country of final destination. To further enhance the transparency of the figures, the categories of goods are specified for each country of destination. For the purpose of illustrating the overall trend, the consolidated figures for 2014 and the figures for the first and second half of 2014 are all presented separately. Information on Dutch licence denials reported to EU partners in the framework of Common Position 2008/944/CFSP has also been included (see Annexe 5).

In addition to the present report on Dutch exports of military goods in 2014, information on Dutch arms export policy is also available through other sources. For instance, the CDIU has published a 'User Guide on Strategic Goods and Services' online. This user guide is designed for individuals, companies and organisations with a professional interest in the procedures governing the import and export of strategic goods. It contains information on the relevant policy objectives and statutory provisions and procedures, as well as a wealth of practical information. The user guide, which is regularly updated in the light of national and international developments, is thus a valuable tool for increasing awareness of this specific policy area. See:

<http://www.government.nl/issues/export-controls-of-strategic-goods/documents-and-publications/directives/2012/04/12/user-guide-on-strategic-goods-and-services.html>.

The government's internet portal also contains other information on the export and transit of strategic goods, such as the present annual report, important information on all licences issued for the export of military goods and monthly summaries containing key data on the transit of military goods through Dutch territory. This data is derived from notifications submitted to the CDIU under the reporting requirement for such transit shipments. The portal also contains monthly summaries of all licences issued for military goods, all licences issued for dual-use goods and all incoming notifications regarding the transit of military goods. As in recent years, data on transit licences issued has been included in the present annual report (Annexe 4). More and more countries are starting to publish public annual reports, but thanks to its provision of data on licence application denials and monthly summaries the Netherlands is still at the forefront when it comes to transparency.

Since 2012, the government has notified the House of Representatives about licences for the permanent export of complete systems worth over €2 million to countries other than Australia, Japan, New Zealand, Switzerland and EU or NATO member states within two weeks of deciding to issue them. These notifications, which may or may not be confidential, are accompanied by an explanatory note. In 2014 this happened in six cases. The relevant letters appear in Annexe 8.

6. Dutch arms exports in 2014

The total value of licences issued in 2014 was €2,065.31 million. This is considerably more than the previous year, when the figure was €963.50 million. The following table provides a regional breakdown of licences issued in 2014.

Table 2: Regional breakdown of licences issued in 2014

Region	Value of licences issued (in € millions)	Share of total (%)
North Africa	52.50	2.5%
Sub-Saharan Africa	30.50	1.5 %
North America	396.21	19.2 %
Central America and the Caribbean	140.53	6.8 %
South America	92.27	4.5 %
Central Asia	6.80	0.3 %
Northeast Asia	64.15	3.1 %
Southeast Asia	79.56	3.9 %
South Asia	2.82	0.1 %
European Union	642.33	31.1 %
Other European countries	266.88	12.9 %
Middle East	78.47	3.8 %
Oceania	1.62	0.1 %
Other NATO	210.65	10.2 %
< 10,000	0.02	0.0 %
Total	2,065.31	100.0 %

The regional breakdown mirrors that of the EU's annual reports on arms exports, which can be found at http://www.eeas.europa.eu/non-proliferation-and-disarmament/arms-export-control/index_en.htm.

The first, third and fourth places of the top 5 countries of final destination in terms of total export licence values are occupied by the US (almost €382 million), Turkey (over €248 million) and Italy (over €234 million), respectively, but these figures warrant further explanation. In 2014 a general licence was issued to a Dutch subsidiary of the American manufacturers of the F-35 combat aircraft. This Dutch subsidiary is responsible for the distribution of components for the F-35, which are produced in the US, Canada, Australia, the UK, the Netherlands, Norway, Denmark, Israel and Italy, to assembly points in the US, Turkey and Italy. This general licence has a value of €700 million and is valid for three years. In keeping with the procedure for annual reports, the entire

amount was posted for 2014 and then divided equally among the three possible final destinations. Germany is in second place, with a value of over €289 million, but this figure is somewhat misleading because it includes a licence worth almost €169 million, which was issued to the Ministry of Defence, for a considerable amount of ammunition (both large and small calibre) which the Ministry had destroyed in Germany via the NATO Support Agency, as was previously done in 2012. The ammunition has an administrative value, but does not represent 'income' for the Ministry. Fifth place is occupied by 'Other NATO', with a value of over €210 million. This is largely accounted for by global licences for deliveries to various cooperation programmes for the production of military equipment, such as the NH-90 helicopter and the Evolved Sea Sparrow Missile.

As is often the case, the Netherlands' export of military goods in 2014 consisted mainly of components. However, five licences were issued that year for major system deliveries to the navies of non-allies, specifically: surveillance radar and identification systems for the United Arab Emirates (over €44 million), an armed supply ship for Peru (€52 million), patrol vessels for Trinidad and Tobago (over €140 million), surveillance radar and identification systems for Malaysia (over €43 million) and light patrol vessels for Tanzania (€30 million). The government informed the House of Representatives of these system deliveries through the accelerated notification procedure (see also Annexe 8).

The total value of export licences for military goods accounted for 0.48% of the total value of Dutch exports in 2014 (€432.5 billion). To put this percentage in an international perspective, it is important to note that both the Dutch private sector and the Dutch government are subject to mandatory licensing for the export of military goods. Only equipment belonging to Dutch military units that is sent abroad for exercises or international operations is exempt from mandatory export licensing. Unlike in some other countries, the sale of surplus defence equipment to third countries is thus included in the figures for the Netherlands.

7. EU cooperation

EU cooperation on export controls for conventional weapons takes place mainly in the Council Working Party on Conventional Arms Exports (COARM). Representatives of the Ministry of Foreign Affairs participate in COARM meetings on behalf of the Netherlands. In COARM, member states share information on their arms export policies in the framework of the EU's Common Foreign and Security Policy (CFSP) and seek to better coordinate those policies and the relevant procedures. In so doing, they promote policy harmonisation and work towards creating a level playing field. The above-mentioned activities are based on Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment, which was adopted by the Council on 8 December 2008.⁷

⁷ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:335:0099:0103:nl:PDF>

COARM meetings in 2014 were devoted to topics like preparations for the first Conference of States Parties of the UN Arms Trade Treaty, which has since taken place in Cancún, Mexico. At the instigation of the Netherlands and others, member states also discussed several specific destinations, and this exchange of information contributed to a more focused export policy. In 2014 the Netherlands continued to push for further harmonisation between EU member states as regards the implementation of arms export policy. Greater transparency between member states with regard to licence denials is part of this process, as are efforts to promote the sharing of information on licences issued in respect of certain sensitive destinations. For additional details on the Netherlands' recent initiatives and aims regarding the further harmonisation of EU arms export policy, please refer to the letter to parliament of 3 July 2014 (Parliamentary Paper 22054, no. 249), the government's response to the private members' policy proposal by MPs Sjoerd Sjoerdsma and Michiel Servaes entitled 'Arms and Principles: Ambitions for a credible and harmonised European arms export policy' of 23 April 2015 (Parliamentary Paper 34103 no. 3) and the subsequent discussion of 7 September 2015.

On 27 March 2015 the EU published its 16th annual report⁸ on activities undertaken by the EU and its member states in the framework of the implementation of Council Common Position 2008/944/CFSP, which includes an overview of the subjects discussed in COARM. The report also contains detailed statistical data on exports of military equipment by the EU member states in 2013. For each country of destination it provides information on the exporting country, the number and value of licences issued and licence denials. The information is classified according to the categories in the Common Military List and is also set out per region and worldwide. Since exports in support of international missions (UN missions) in embargoed countries often raise questions, the report includes separate tables summarising deliveries to such missions. Finally, it lists the number of brokering licences issued and denied and the number of consultations initiated and received by EU partners.

In 2013 the total value of export licences issued by EU member states was €36.7 billion. France was the largest exporter, accounting for €9.5 billion. The Netherlands was in eighth place with €963 million. The following table lists the total value of licences issued in 2013 by country, as well as each country's share of the total. (It should be noted that neither Cyprus nor Greece supplied any data.)

European arms exports in 2013

Region	Value of licences issued (in € millions)	Share of total (%)
France	€9,538.44	26.0%
Germany	€5,845.63	15.9%

⁸ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2015:103:FULL&from=EN>

UK	€5,232.12	14.3%
Spain	€4,321.28	11.8%
Austria	€2,373.85	6.5%
Italy	€2,149.31	5.9%
Sweden	€980.27	2.7%
Netherlands	€963.49	2.6%
Poland	€858.00	2.3%
Denmark	€782.48	2.1%
Croatia	€711.53	1.9%
Belgium	€613.03	1.7%
Hungary	€512.96	1.4%
Bulgaria	€491.28	1.3%
Finland	€344.00	0.9%
Czech Republic	€327.62	0.9%
Romania	€296.10	0.8%
Portugal	€145.73	0.4%
Slovakia	€122.12	0.3%
Ireland	€61.82	0.2%
Lithuania	€22.19	0.1%
Slovenia	€8.84	0.0%
Malta	€5.05	0.0%
Estonia	€2,74	0.0%
Luxembourg	€2.30	0.0%
Latvia	€0.07	0.0%
Total	€36,711.90⁹	100.00 %

The EU's annual report further indicates that member states issued a total of 46,548 licences and that 300 licence applications were denied and reported. The number of licence denials is lower than in previous years (2012: 408, 2011: 402, 2010: 400, 2009: 406, 2008: 329, 2007: 425). The number of consultations between EU member states regarding licence denials was 134.

In 2014 the Netherlands was involved in a total of 10 consultations. Four of these were initiated by the Netherlands, and on six occasions the Netherlands was consulted by other member states.

8. The Wassenaar Arrangement

At the multilateral level, developments related to arms exports are discussed in the framework of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and

⁹ The EU report contains a minor calculation error in the total; the correct amount is €36,715.25 million.

Technologies (WA). In the year under review, 41 countries, including the United States, Russia and all EU member states with the exception of Cyprus participated in this forum, which owes its name to the town where the negotiations to establish the arrangement were conducted, under the chairmanship of the Netherlands.¹⁰ It is estimated that these countries jointly account for over 90% of global military exports.

The aim of the WA, as stated in the 'Initial Elements',¹¹ is to contribute to regional and international security and stability. This is achieved through regular information sharing on the export to third countries of arms and goods that can be used for military ends. The ultimate goal is to promote greater knowledge and a stronger sense of responsibility in the national assessment of licence applications for the export of such goods. After all, more information will enable the participating states to assess more accurately whether the build-up of military resources is having a destabilising effect in certain countries or regions. If so, they should exercise greater restraint when considering licence applications for these destinations.

In addition to a list of conventional and non-conventional dual-use goods that applies to the Netherlands on the basis of the EU Dual-Use Regulation, the Wassenaar Arrangement maintains a list of military goods that are to be subject to export controls. Any revision of the WA list results in the amendment of the EU Common Military List. As regards Dutch export controls on military goods, the Strategic Goods Implementing Regulations refer directly to the most recent EU Common Military List.

In line with its mandate and with a view to effectiveness and support, the Expert Group of the Wassenaar Arrangement continued its regular consultation in 2014 on updating the list of controlled military and dual-use goods. The group discussed including various emerging technologies with military potential and the removal of technologies that are either no longer critical or widely available. Scope-neutral interpretations of control texts were also discussed. The results – various changes across the controlled categories – were put to the Plenary Meeting in December 2014, which adopted them. Some of the issues discussed proved relevant, but at this stage did not lead to consensus in the Export Group.

Further information on the best practice guidelines, the WA's principles and goals and current developments is available on the WA's website at www.wassenaar.org. This website also grants access to the organisation's public documents.

¹⁰ In 2014, only Cyprus was not yet a member due to Turkish objections.

¹¹ The 'Initial Elements' can be consulted on the website of the Wassenaar Arrangement, at www.wassenaar.org.

9. Export controls on dual-use goods

At a meeting between the Permanent Parliamentary Committee on Economic Affairs, Agriculture and Innovation and the Minister of Defence, the Minister of Foreign Affairs and the Minister of Economic Affairs, Agriculture and Innovation on arms export policy on 5 July 2012, the House of Representatives indicated that it would like to receive more information on export control policy and developments related to dual-use goods. This section briefly examines the main policy principles and key developments in the relevant export control regimes and the EU Council Working Party on Dual-Use Goods.

Council Working Party on Dual-Use Goods

On 30 December 2014 the new goods annex to the Dual-Use Regulation was published in the Official Journal of the EU. This was the first time the annex was updated by means of a delegated act, instead of the normal legislative procedure that had previously been used. The individual export control regimes are responsible for maintaining their own goods lists, which are then combined by the European Commission to form Annex I to the Regulation. The working party also discussed the European Commission's Paper on the further development of the EU's export control policy.¹² In November the Council adopted conclusions¹³ with a response to the Commission's intentions as laid out in the communication. The Netherlands has repeatedly drawn attention to the need for further harmonisation of export control policy in order to create a level playing field, and continues to press for better controls on surveillance technology that can be used to violate human rights.

Nuclear Suppliers Group

At the plenary session in Buenos Aires (June 2014), the Nuclear Suppliers Group, the regime that seeks to halt the further proliferation of nuclear weapons, spoke mainly about the relationship with countries that are participants in the group but which have indicated a wish to comply with the regime's guidelines and control lists (adherents). The plenary session also decided to approve guidelines for controls on transit and brokering and publish them on the NSG website.¹⁴ The Netherlands actively contributed to the resultant paper, which was a German initiative. Finally, the NSG examined the internal rules on transparency and confidentiality. This was prompted by two incidents involving the leaking of confidential documents by unknown individuals which occurred before the plenary session in Buenos Aires. One of these documents, which was drawn up by the Netherlands, the US, the UK and the Czech Republic, describes a number of possible advantages associated with adherence to the NSG regime, in order to encourage non-members to follow its guidelines. The House was informed about this in June 2014, and the documents in question were sent to it in confidence.¹⁵

¹² COM(2014) 244

¹³ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/145903.pdf

¹⁴ <http://www.nuclearsuppliersgroup.org/en/national-practices/142-good-practices-for-brokering-and-transit>

¹⁵ House of Representatives, 2013-2014, 33 750 V, no. 78.

Australia Group

The Australia Group (AG), which chiefly seeks to prevent the proliferation of chemical and biological weapons, meets in Paris every June. In 2014, as in 2012 and 2013, the AG's agenda was dominated by the events surrounding the chemical weapons programme in Syria. The deployment of chemical weapons in Syria once again underscores the importance of good export controls with a view to totally eliminating the use of chemical weapons in the world. At the plenary session Mexico was welcomed as a new member state. Participants also agreed to further encourage non-members to follow the AG's guidelines, by sharing not only information about best practices but also intelligence on CBW terrorism. These efforts also include an active multinational outreach programme aimed at the private sector and academia. In addition, the plenary session featured a tabletop exercise designed to foster the exchange of experiences with enforcement issues, and the adoption of a new handbook compiled by the US. Participants also agreed to extend and enhance policy on the 'catch-all provision'. Another issue discussed was the improvement of controls on immaterial technology and brokering services that are sensitive to proliferation. Finally, the members established a clear policy on the 'no undercut principle' to streamline export controls.

Missile Technology Control Regime

MTCR is the export control regime concerned with the non-proliferation of delivery systems (ballistic missiles and unmanned aircraft) for weapons of mass destruction. The chairmanship of the regime, which rotates among the participating states, passed from Germany to Norway in 2014. At the MTCR's 2014 plenary meeting in Oslo, the participating states again agreed to amend the regime's list of controlled goods. In Oslo, the offer of a joint chairmanship by the Netherlands and Luxembourg (October 2015 to October 2016) was accepted. This will be the first time that an export control regime will be chaired by two countries. The export control authorities of a number of non-partner countries were informed at a separate meeting in Paris in early 2014 about previous changes to the list.

All three export control regimes – the NSG, the AG and the MTCR – have addressed the issues of brokering and transit. Partly on the basis of UN Security Council resolution 1540, states must operate effective export controls, including controls on transit and brokering. The EU member states have already fulfilled their obligations in this regard by amending the 2009 EU Dual-Use Regulation. The regimes are also discussing the possibility of adding new members and the unilateral observance of the guidelines and goods lists on the part of non-partner countries.

10. Arms control

Various topical issues related to arms control are relevant to arms export policy. These include activities related to small arms and light weapons, the UN Arms Trade Treaty and the UN Register of Conventional Arms.

Cluster munitions

On 23 February 2011 the Netherlands ratified the Convention on Cluster Munitions, which accordingly entered into force for our country on 1 August 2011. As of June 2015, 94 states are party to the convention (10 more than in June 2014), and 23 other countries have signed but not yet ratified it. A ban prohibiting financial institutions from investing directly in cluster munitions has been in force in the Netherlands since 1 January 2013.¹⁶

The Secretary-General of the United Nations and the President of the International Committee of the Red Cross have described the convention as a new norm of international humanitarian law. The Dutch government endorses this view. The Netherlands has pushed for the universalisation of the convention in the appropriate multilateral forums, such as the UN General Assembly. At meetings of the states parties to the Convention, the Netherlands has called the parties' attention to reports of the alleged use of cluster munitions in Libya, Ukraine, Sudan and Yemen. The first review conference of the Convention took place in Dubrovnik in September 2015. In 2016 the Netherlands will chair the plenary session.

Landmines

In June 2014, the Third Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the Ottawa Convention) took place in Maputo, Mozambique. The Netherlands was closely involved in this review conference as one of the Friends of the Chair, Mozambique. During the conference the Netherlands was a key negotiator in the talks that led to the agreement to comply with all the treaty obligations by 2025.

A Committee on Cooperative Compliance consisting of Algeria, Canada, Chile and the Netherlands was also set up at the Review Conference. The aim of the committee is to engage with countries which do not comply with the convention to discuss what specific steps they can take to improve their compliance.

In 2014, as in previous years, the Netherlands spent approximately €15 million on demining projects around the world, making it one of the largest donors in this area.

Small arms and light weapons

The Netherlands is strongly committed to preventing the uncontrolled spread of small arms and light weapons (SALW) and related ammunition. Its efforts are aimed at reducing the numbers of victims of armed violence, armed conflicts and gun crime and increasing security and stability. This is a prerequisite for sustainable development and the attainment of poverty reduction goals.

¹⁶ See: <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2012/03/21/kamerbrief-over-uitwerking-van-het-verbod-op-directe-investeringen-in-clustermunitie.html> (in Dutch).

Tackling SALW-related problems is a key issue in the field of arms control. In recent years it has been dominated by multilateral efforts, on the one hand, and attempts to deal with these problems in the framework of more wide-ranging security projects focusing on civilian security, on the other.

These multilateral efforts have produced numerous international and regional agreements, such as the UN Programme of Action on small arms and light weapons (2001) and the Geneva Declaration on Armed Violence and Development (2006). In 2014 the Netherlands continued to contribute actively to their development and implementation. In doing so it cooperated closely with local and regional NGOs and research institutes in such places as Libya, Central America and Somalia.

- ***UN Programme of Action***

The UN Programme of Action obliges states to pursue active policies in the field of SALW at national, regional and international level. This includes the development and implementation of relevant legislation, the destruction and secure storage of surplus arms and ammunition, improved cooperation between states – for example in relation to marking and tracing illegal arms – and assisting and supporting countries and regions that lack the capacity to implement the measures set out in the programme.

The biennial meeting of the states parties to the UN Programme of Action took place in June 2014. The Netherlands drew attention to the link between broad-based security programmes, such as Security Sector Reform (SSR) and Disarmament, Demobilisation, Reintegration (DDR) and the small arms issue and new elements that have not yet been incorporated into the programme of action, such as ammunition.

The Netherlands is also contributing €500,000 to the UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR). The purpose of this fund is to help countries sign, ratify and eventually implement the UN Arms Trade Treaty, implement the UN Programme of Action and identify and enhance synergies between these two instruments.

- ***EU***

EU member states report annually on national activities aimed at implementing Council Joint Action 2002/589/CFSP on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons. These national reports and reports on relevant EU activities are combined in a joint annual report to which the Netherlands contributes every year. In the run-up to the biennial meeting of states involved in the UN Programme of Action on small arms and light weapons, the Netherlands is stressing the importance of European cooperation in fighting the uncontrolled proliferation of such weapons.

- ***OSCE and small arms***

The Netherlands supports the efforts of the Organization for Security and Co-operation in Europe (OSCE) to tackle the illegal spread and accumulation of SALW and is committed to sharing

information on SALW in the framework of the OSCE Plan of Action on Small Arms and Light Weapons.¹⁷

UN Arms Trade Treaty

In March 2013 the final diplomatic conference on the UN Arms Trade Treaty took place in New York, concluding a preparatory process that started in 2006. A crucial factor is that the treaty obliges states parties to introduce an export control system for conventional arms, which will force countries around the world to make responsible decisions regarding the export of military goods that fall under the scope of the treaty. The treaty's assessment criteria are similar to several that already apply under the EU's Common Position on arms exports: compliance with international embargoes, no cooperation in violations of international humanitarian law, respect for human rights and mitigation of the risk of diversion of conventional arms to the illicit market or for unauthorised use.

The Netherlands played an active role in the negotiations, for example by chairing one of the two subcommittees that formulated the draft text of the treaty. In addition, the government frequently consulted NGOs and the Dutch private sector regarding the Netherlands' objectives for the negotiations. For more information, see the government's letter to parliament on the UN Arms Trade Treaty of 24 April 2013 (Parliamentary Papers, 22 054, no. 220).

The treaty was adopted by the UN General Assembly on 2 April 2013. It was opened for signature on 3 June 2013, at which time it was signed by the Netherlands and 66 other UN member states. On 25 September 2014 the 50 required ratifications were reached, and the treaty consequently entered into force three months later, on 24 December 2014. Given that the Senate approved the treaty on 9 December 2014, and the Netherlands submitted the instrument of ratification before 24 December 2014, the Netherlands belongs to the first group of countries for which the treaty entered into force. As of 17 September 2015, 130 countries had signed the ATT, 73 of which had also ratified it.

The Netherlands continues to work on the entry into force and implementation of the UN Arms Trade Treaty along the lines described in the government's letter to parliament on the universalisation and implementation of the UN Arms Trade Treaty of 26 November 2013 (Parliamentary Papers, 22 054, no. 235)

Finally, the Netherlands made an active contribution to the first Conference of States Parties on 24-27 August 2015 in Cancún (Mexico) and the preparations leading up to it. At the conference the Netherlands argued that the reporting obligations under the treaty should be public.

By the end of 2015 the states parties must submit their initial ATT reports, and in 2016 the first annual ATT reports will be submitted to the ATT secretariat. ATT reports are, however, only public if the submitting country explicitly affirms this. It remains to be seen in the years ahead whether

¹⁷ <http://www.osce.org/fsc/68450>

most countries will decide to release their ATT reports. It goes without saying that the Netherlands' reports will be made public.

Transparency in armaments and the UN Register of Conventional Arms

Every year, the UN Register of Conventional Arms, which was established in 1991 at the initiative of the Netherlands and several other countries, provides information on countries of export, transit (where relevant) and import of military goods, as well as on the volume of goods, which are then broken down into the following categories: I. battle tanks; II. armoured combat vehicles; III. large-calibre artillery systems; IV. combat aircraft; V. attack helicopters; VI. warships; and VII. missiles and missile launchers.

Since its inception, 170 countries, including the Netherlands, have at some time submitted reports to the register. This includes all the major arms-producing, -exporting and -importing countries. The aim is still to achieve universal and consistent participation. The UN Register of Conventional Arms is an instrument that promotes transparency, thereby preventing excessive stockpiling of conventional weapons.

The United Nations Office for Disarmament Affairs (UNODA) is responsible for compiling the data submitted by the member states. In 2014 it received 45 national reports. This is 13 fewer than in 2013, which reconfirms the difficulty of persuading countries year after year to contribute to the UN Register of Conventional Arms. The effectiveness of the register stands or falls on universal participation. The Netherlands therefore considers it of great importance that countries submit their annual reports, even if these take the form of 'nil reports' because they did not import or export any goods in one or more of the above-mentioned categories during the year in question.

At the same time, the functioning of the register should be reviewed in light of the UN Arms Trade Treaty, which also establishes a reporting requirement for arms exports in the categories listed in the register, as well as for small arms and light weapons. It is important to maintain the register for those countries that are not yet ready to accede to the Arms Trade Treaty. It is necessary to ensure that countries are not subject to double reporting requirements; avoiding overlap is also the motivation behind the current draft ATT reporting forms.

UN-based legislative transparency

From 2002 to 2004 the Netherlands submitted the UN General Assembly resolution on national legislation on transfer of arms, military equipment and dual-use goods and technology every year, and from 2005 onwards it has done so every other year. The resolution urges UN member states to share information on their national legislation in the field of arms exports.

In the framework of the resolution an electronic UN database has been established to store and provide access to legislative texts and other information shared by the participating states. It currently contains contributions from 65 countries, including the Netherlands. As the ATT enters

into force, the UNODA database will initially be complementary to the treaty, though as more countries become party to the ATT, the UNODA database will decline in importance.

Annexe 1:

Overview of the value of licences issued in 2014 for the permanent export of military goods by category of goods and by country of final destination

Methodology

The values reported below are based on the value of the licences for the permanent export of military goods issued during the period under review. The licence value represents the maximum export value, although this may not necessarily correspond to the value of the exports actually realised at the time of publication. Licences for temporary export have been disregarded in these figures, on the grounds that they are subject to a requirement to reimport. This usually concerns shipments for demonstration or exhibition purposes. On the other hand, licences for trial or sample shipments are included in the figures because they are not subject to this requirement due to the nature of the exported goods. Licences for goods that are returned abroad following repair in the Netherlands are similarly not included in the reported figures. In such cases, however, the goods must have been part of a prior shipment from the Netherlands, whose value will therefore have been reflected in a previous report. Without these precautions, the inclusion of such 'return following repair' licences would lead to duplication. Licences whose validity has been extended do not appear in the figures for the same reason. This also applies to licences that are replaced for reasons such as a recipient's change of address. However, if the value of the extension or replacement licence is higher than that of the original licence, the surplus will obviously be reported.

For the purpose of classifying licence values for individual transactions by category of military goods, it was necessary in many cases to record additional spare parts and installation costs as part of the value of the complete system. Licence values for the initial delivery of a system are often based on the value of the contract, which may also cover such elements as installation and a number of spare parts. The value of licences for the subsequent delivery of components is included in categories A10 and B10. Finally, for the purpose of classifying licence values by category of military goods, a choice had to be made regarding the classification of subsystems. It was decided to differentiate according to the extent to which a subsystem could be regarded as being stand-alone or multifunctional. This has a particular bearing on the classification of export licences for military electronics. If such a product is suitable solely for maritime applications, for example, the associated subsystems and their components appear in category A10, as components for category A6 (warships). However, if such a product is not obviously connected to one of the first seven subcategories of main category A, the associated subsystems and their components appear in subcategory B4 or B10.

2014 (first half)

Table 1: Value (in € millions) of licences issued for the permanent export of military goods during the first half of 2014, by category¹

Category A: 'Weapons and ammunition'	2014 (1) value (in € millions)
1. Tanks	-
2. Armoured vehicles	3.64
3. Large-calibre weapons (> 12.7 mm)	1.80
4. Combat aircraft	-
5. Attack helicopters	0.01
6. Warships	-
7. Guided missiles	-
8. Small-calibre weapons (≤ 12.7 mm)	0.61
9. Ammunition and explosives	179.65
10. Parts and components for 'Weapons and ammunition' ²	295.63
Total for Category A	481.34

Category B 'Other military goods'	2014 (1) value (in € millions)
1. Other military vehicles	11.87
2. Other military aircraft and helicopters	0.08
3. Other military vessels	30.00
4. Military electronics	20.61
5. ABC substances for military use	-
6. Military equipment for exercises	0.39
7. Armour-plating and protective products	5.51
8. Military auxiliary and production equipment	0.83
9. Military technology and software	1.64
10. Parts and components for 'Other military goods' ³	76.54
Total for Category B	147.47
Total for Categories A & B	628.81

*Table 2: Value (in € millions) of licences issued for the permanent export of military goods during the first half of 2014
by country of destination*

2014 (first half) <i>value (in € millions)</i>					
Country of destination	Cat. A	Breakdown	Cat. B	Breakdown	Total
Algeria	7.80	A10	0.20	B8, B9	8.00
Argentina	0.59	A10	-	-	0.59
Australia	0.31	A3, A10	-	-	0.31
Austria	0.01	A8, A10	-	-	0.01
Bangladesh	0.05	A10	-	-	0.05
Brazil	-	-	1.15	B8, B9	1.15
Canada	12.02	A10	0.55	B4, B10	12.57
Chile	0.08	A10	-	-	0.08
Colombia	3.72	A10	10.00	B4	13.72
Curaçao	0.07	A8, A9	-	-	0.07
Denmark	0.53	A8, A10	0.52	B9, B10	1.05
Estonia	3.64	A2	8.88	B9, B10	12.52
Finland	1.80	A3, A10	0.06	B9, B10	1.86
France	1.54	A8, A9, A10	5.25	B10	6.79
Germany	186.71	A5, A8, A9, A10	7.47	B2, B4, B7, B8, B10	194.18
Greece	0.45	A10	-	-	0.45

India	0.09	A8, A10	0.13	B9, B10	0.22
Indonesia	1.60	A10	-	-	1.60
Italy	0.02	A10	0.23	B10	0.25
Jordan	4.16	A9, A10	5.01	B1	9.17
Malaysia	43.56	A10	-	-	43.56
Norway	0.39	A9, A10	7.29	B8	7.68
Oman	0.12	A10	1.56	B9, B10	1.68
Pakistan	-	-	1.58	B4, B10	1.58
Paraguay	0.06	A9	-	-	0.06
Poland	0.06	A8, A9	0.08	B4	0.14
Portugal	0.16	A10	0.11	B10	0.27
Qatar	0.99	A10	-	-	0.99
Saudi Arabia	-	-	0.38	B9, B10	0.38
Singapore	0.14	A10	0.49	B7, B10	0.63
South Korea	0.95	A10	15.16	B9, B10	16.11
Spain	0.31	A8, A10	0.06	B4	0.37
Sweden	0.85	A8, A9, A10	0.09	B4, B10	0.94
Switzerland	3.56	A8, A9, A10	1.08	B10	4.64
Taiwan	18.85	A10	-	-	18.85
Tanzania	-	-	30.00	B3	30.00
Thailand	1.15	A9, A10	0.28	B10	1.43
Turkey	0.60	A8, A10	0.53	B4, B6, B7, B9, B10	1.13

Turkmenistan	-	-	6.80	B4, B10	6.80
United Arab Emirates	1.84	A9, A10	-	-	1.84
United Kingdom	2.67	A8, A9, A10	0.12	B10	2.79
United States	47.81	A8, A9, A10	3.20	B4, B6, B9, B10	51.01
Other NATO⁴	132.07	A10	39.21	B4, B7, B9, B10	171.28
Countries with export licence values below €10,000⁵					
Bonaire, Ireland, Morocco, New Zealand, Romania	0.01	A8, A10	-	-	0.01
Total	481.34		147.47		628.81

Explanatory notes for Tables 1 and 2 concerning the first half of 2014:

¹ Because all values are rounded to two decimal places, subcategories with a value below €10,000 are not listed separately in Tables 1 and 2.

² As usual, subcategory A10 (Parts and components for 'Weapons and ammunition') primarily concerns the supply of components for fighter aircraft and attack helicopters to the manufacturers of such systems in the United States and the supply of components for tanks and other military combat vehicles to the German manufacturer of such systems.

The delivery of parts and accessories for the Sea Dragon class of submarines for Taiwan also falls into this category.

³ During the period under review, subcategory B10 (Parts and components for 'Other military goods') once again encompasses a large number of smaller shipments of electronic parts for military systems and parts for military aircraft and vehicles, as well as components of supply ships.

⁴ The heading 'Other NATO' generally relates to export licences for components falling under subcategory A10 for which several NATO members (excluding Turkey) qualify as countries of final destination. In practice, such licences are used to supply components to manufacturers that want to be able to supply from stock to the NATO customers listed as end users on the licence.

⁵ In the Netherlands the export of pistols and rifles for sport or hunting is also subject to mandatory licensing. If they are scheduled to remain abroad for an extended period, such firearms

require a permanent export licence, even if they are in the owner's possession while in transit. Some of the exports to countries of destination listed in the table as accounting for total export licence values below €10,000 involve transactions of this nature.

2014 (second half)

Table 1: Value (in € millions) of licences issued for the permanent export of military goods during the second half of 2014, by category¹

Category A: 'Weapons and ammunition'	2014 (2) value (in € millions)
1. Tanks	45.82
2. Armoured vehicles	9.24
3. Large-calibre weapons (> 12.7 mm)	0.06
4. Combat aircraft	0.10
5. Attack helicopters	-
6. Warships	192.39
7. Guided missiles	5.23
8. Small-calibre weapons (≤ 12.7 mm)	0.20
9. Ammunition and explosives	5.43
10. Parts and components for 'Weapons and ammunition' ²	1,070.50
Total for Category A	1,328.97

Category B 'Other military goods'	2014 (2) value (in € millions)
1. Other military vehicles	-
2. Other military aircraft and helicopters	-
3. Other military vessels	-
4. Military electronics	10.16
5. ABC substances for military use	-
6. Military equipment for exercises	-
7. Armour-plating and protective products	24.27
8. Military auxiliary and production equipment	0.04
9. Military technology and software	8.82
10. Parts and components for 'Other military goods' ³	64.24
Total for Category B	107.53
Total for Categories A & B	1,436.50

*Table 2: Value (in € millions) of licences issued for the permanent export of military goods during the second half of 2014
by country of destination*

2014 (second half) <i>value (in € millions)</i>					
Country of destination	Cat. A	Breakdown	Cat. B	Breakdown	Total
Argentina	0.24	A10	-	-	0.24
Australia	0.12	A10	0.77	B4, B9, B10	0.89
Austria	0.51	A8, A10	-	-	0.51
Brazil	-	-	0.07	B10	0.07
Canada	1.25	A8, A10	0.48	B10	1.73
Chile	0.49	A10	0.31	B7, B10	0.80
Colombia	-	-	23.56	B10	23.56
Croatia	-	-	0.01	B10	0.01
Czech Republic	0.04	A8, A9, A10	-	-	0.04
Denmark	0.50	A8, A9, A10	0.04	B10	0.54
Egypt	0.32	A10	-	-	0.32
Estonia	4.28	A2, A9	-	-	4.28
Finland	44.54	A1, A9, A10	-	-	44.54
France	15.73	A8, A10	0.47	B10	16.20
Germany	87.73	A1, A2, A4, A8, A9, A10	6.93	B6, B7, B9, B10	94.66
Greece	0.04	A10	0.09	B10	0.13

India	-	-	0.06	B8, B10	0.06
Indonesia	0.02	A8, A10	23.67	B7, B10	23.69
Iraq	-	-	0.71	B7, B10	0.71
Israel	1.14	A7, A10	0.05	B9	1.19
Italy	233.89	A8, A10	0.53	B9, B10	234.42
Jamaica	-	-	0.07	B10	0.07
Japan	0.69	A10	0.01	B10	0.70
Jordan	5.30	A2, A3, A9	-	-	5.30
Malaysia	0.93	A10	0.21	B10	1.14
Morocco	44.50	A10	-	-	44.50
New Zealand	0.42	A10	-	-	0.42
Norway	3.40	A8, A9, A10	0.77	B4, B10	4.17
Oman	1.10	A10	4.71	B4, B10	5.81
Pakistan	0.02	A10	0.89	B10	0.91
Peru	52.00	A6	-	-	52.00
Poland	0.09	A8, A9	-	-	0.09
Qatar	0.48	A10	0.10	B9	0.58
Saudi Arabia	1.04	A10	0.04	B4, B10	1.08
Singapore	5.28	A10	2.23	B4, B9, B10	7.51
South Africa	0.10	A10	0.40	B7, B10	0.50
South Korea	2.27	A10	25.42	B7, B10	27.69
Spain	0.84	A8, A10	0.05	B10	0.89

Sweden	1.42	A8, A9, A10	0.06	B4	1.48
Switzerland	1.25	A9, A10	1.02	B4, B10	2.27
Taiwan	0.80	A10	-	-	0.80
Trinidad and Tobago	140.39	A6	-	-	140.39
Turkey	245.58	A10	1.41	B9, B10	246.99
United Arab Emirates	47.98	A9, A10	1.44	B9, B10	49.42
United Kingdom	21.77	A8, A9, A10	1.15	B10	22.92
United States	327.25	A3, A7, A8, A9, A10	3.65	B4, B9, B10	330.90
Other NATO⁴	33.22	A9, A10	6.15	B4, B7, B10	39.37
Countries with export licence values below €10,000⁵					
Curaçao, Hungary, Ireland, Lithuania, Portugal, Slovakia, Suriname	0.01	A8, A9, A10	-	-	0.01
Total	1,328.97		107.53		1,436.50

Explanatory notes for Tables 1 and 2 concerning the second half of 2014:

¹ Because all values are rounded to two decimal places, subcategories with a value below €10,000 are not listed separately in Tables 1 and 2.

² As usual, subcategory A10 (Parts and components for 'Weapons and ammunition') primarily concerns the supply of components for fighter aircraft and attack helicopters to the manufacturers of such systems in the United States and the supply of components for tanks and other military combat vehicles to the German manufacturer of such systems.

The general permit for F-35 components with a value of €700 million described in chapter 6 also falls under this heading.

³ During the period under review, subcategory B10 (Parts and components for 'Other military goods') once again encompasses a large number of smaller shipments of electronic parts for military systems and parts for 'other' military aircraft and vehicles.

⁴ The heading 'Other NATO' generally relates to export licences for components falling under subcategory A10 for which several NATO members (excluding Turkey) qualify as countries of final destination. In practice, such licences are used to supply components to manufacturers that want to be able to supply from stock to the NATO customers listed as end users on the licence.

⁵ In the Netherlands the export of pistols and rifles for sport or hunting is also subject to mandatory licensing. If they are scheduled to remain abroad for an extended period, such firearms require a permanent export licence, even if they are in the owner's possession while in transit. Some of the exports to countries of destination listed in the table as accounting for total export licence values below €10,000 involve transactions of this nature.

2014 (whole year)

Table 1: Value (in € millions) of licences issued for the permanent export of military goods in 2014, by category¹

Category A: 'Weapons and ammunition'	2014 value (in € millions)
1. Tanks	45.82
2. Armoured vehicles	12.88
3. Large-calibre weapons (> 12.7 mm)	1.86
4. Combat aircraft	0.10
5. Attack helicopters	0.01
6. Warships	192.39
7. Guided missiles	5.23
8. Small-calibre weapons (≤ 12.7 mm)	0.81
9. Ammunition and explosives	185.08
10. Parts and components for 'Weapons and ammunition' ²	1,366.13
Total for Category A	1,810.31

Category B 'Other military goods'	2014 value (in € millions)
1. Other military vehicles	11.87
2. Other military aircraft and helicopters	0.08
3. Other military vessels	30.00
4. Military electronics	30.77
5. ABC substances for military use	-
6. Military equipment for exercises	0.39
7. Armour-plating and protective products	29.78
8. Military auxiliary and production equipment	0.87
9. Military technology and software	10.46
10. Parts and components for 'Other military goods' ³	140.78
Total for Category B	255.00
Total for Categories A & B	2,065.31

*Table 2: Value (in € millions) of licences issued for the permanent export of military goods in 2014
by country of destination*

2014 (whole year) value (in € millions)					
Country of destination	Cat. A	Breakdown	Cat. B	Breakdown	Total
Algeria	7.80	A10	0.20	B8, B9	8.00
Argentina	0.83	A10	-	-	0.83
Australia	0.43	A3, A10	0.77	B4, B9, B10	1.20
Austria	0.52	A8, A10	-	-	0.52
Bangladesh	0.05	A10	-	-	0.05
Brazil	-	-	1.22	B8, B9, B10	1.22
Canada	13.27	A8, A10	1.03	B4, B10	14.30
Chile	0.57	A10	0.31	B7, B10	0.88
Colombia	3.72	A10	33.56	B4, B10	37.28
Croatia	-	-	0.01	B10	0.01
Curaçao	0.07	A8, A9	-	-	0.07
Czech Republic	0.04	A8, A9, A10	-	-	0.04
Denmark	1.03	A8, A9, A10	0.56	B9, B10	1.59
Egypt	0.32	A10	-	-	0.32
Estonia	7.92	A2, A9	8.88	B9, B10	16.80
Finland	46.34	A1, A3, A9, A10	0.06	B9, B10	46.40
France	17.27	A8, A9, A10	5.72	B10	22.99

Germany	274.44	A1, A2, A4, A5, A8, A9, A10	14.40	B2, B4, B6, B7, B8, B9, B10	288.84
Greece	0.49	A10	0.09	B10	0.58
India	0.09	A8, A10	0.19	B8, B9, B10	0.28
Indonesia	1.62	A8, A10	23.67	B7, B10	25.29
Iraq	-	-	0.71	B7, B10	0.71
Israel	1.14	A7, A10	0.05	B9	1.19
Italy	233.91	A8, A10	0.76	B9, B10	234.67
Jamaica	-	-	0.07	B10	0.07
Japan	0.69	A10	0.01	B10	0.70
Jordan	9.46	A2, A3, A9, A10	5.01	B1	14.47
Malaysia	44.49	A10	0.21	B10	44.70
Morocco	44.50	A10	-	-	44.50
New Zealand	0.42	A10	-	-	0.42
Norway	3.79	A8, A9, A10	8.06	B4, B8, B10	11.85
Oman	1.22	A10	6.27	B4, B9, B10	7.49
Pakistan	0.02	A10	2.47	B4, B10	2.49
Paraguay	0.06	A9	-	-	0.06
Peru	52.00	A6	-	-	52.00
Poland	0.15	A8, A9	0.08	B4	0.23
Portugal	0.16	A10	0.11	B10	0.27
Qatar	1.47	A10	0.10	B9	1.57
Saudi Arabia	1.04	A10	0.42	B4, B9, B10	1.46

Singapore	5.42	A10	2.72	B7, B10	8.14
South Africa	0.10	A10	0.40	B10	0.50
South Korea	3.22	A10	40.58	B7, B9, B10	43.80
Spain	1.15	A8, A10	0.11	B4, B10	1.26
Sweden	2.27	A8, A9, A10	0.15	B4, B10	2.42
Switzerland	4.81	A8, A9, A10	2.10	B10	6.91
Taiwan	19.65	A10	-	-	19.65
Tanzania	-	-	30.00	B3	30.00
Thailand	1.15	A9, A10	0.28	B10	1.43
Trinidad and Tobago	140.39	A6	-	-	140.39
Turkey	246.18	A8, A10	1.94	B4, B6, B7, B9, B10	248.12
Turkmenistan	-	-	6.80	B4, B10	6.80
United Arab Emirates	49.82	A9, A10	1.44	B9, B10	51.26
United Kingdom	24.44	A8, A9, A10	1.27	B10	25.71
United States	375.06	A3, A7, A8, A9, A10	6.85	B4, B6, B9, B10	381.91
Other NATO⁴	165.29	A9, A10	45.36	B4, B7, B9, B10	210.65
Countries with export licence values below €10,000⁵					
Bonaire, Hungary, Ireland, Lithuania, Slovakia, Suriname	0.02	A8, A10	-	-	0.02
Total	1,810.31		255.00		2,065.31

Explanatory notes for Tables 1 and 2 concerning 2014:

¹ Because all values are rounded to two decimal places, subcategories with a value below €10,000 are not listed separately in Tables 1 and 2.

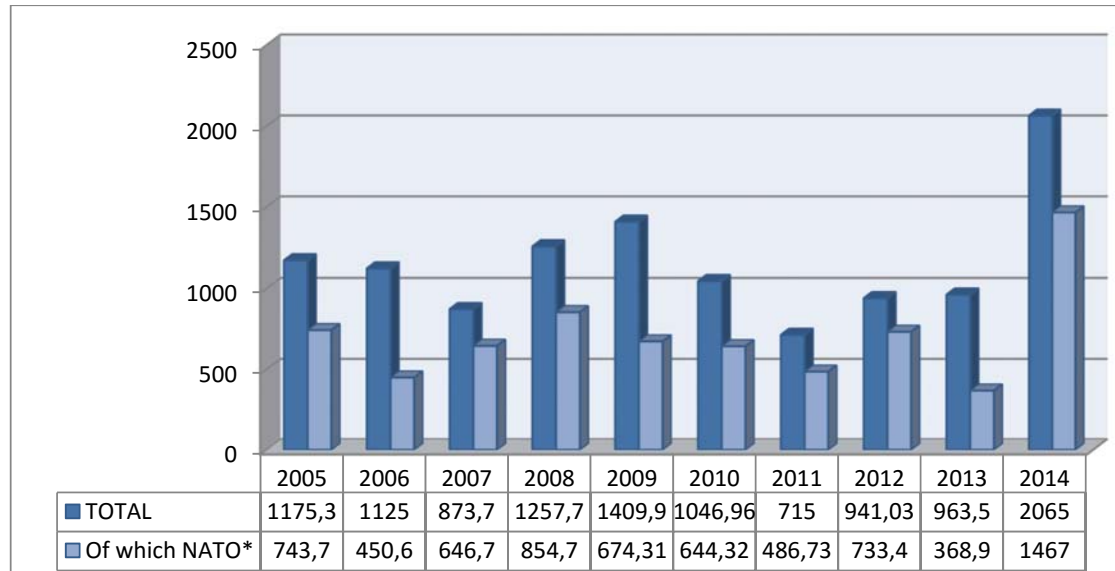
^{2, 3} For more detailed information on the most important deliveries made in the year under review under the categories A10 and B10, please refer to the explanatory notes for the tables on the first half of 2014 and the second half of 2014.

⁴ The heading 'Other NATO' generally relates to export licences for components falling under subcategory A10 for which several NATO members (excluding Turkey) qualify as countries of final destination. In practice, such licences are used to supply components to manufacturers that want to be able to supply from stock to the NATO customers listed as end users on the licence.

⁵ In the Netherlands the export of pistols and rifles for sport or hunting is also subject to mandatory licensing. If they are scheduled to remain abroad for an extended period, such firearms require a permanent export licence, even if they are in the owner's possession while in transit. Some of the exports to countries of destination listed in the table as accounting for total export licence values below €10,000 involve transactions of this nature.

Annexe 2: Dutch arms exports in 2005-2014

Value of export licences issued in € millions



* In 2014 the following 28 countries were members of NATO:

Albania, Belgium, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, the United Kingdom and the United States.

Annexe 3: Overview of export licences worth over €2 million issued in 2014 for dual-use goods intended for military end use

Type of equipment ¹	Value (in € millions) ²	Country of final destination	End user
Image-enhancing tubes for inclusion in night-vision equipment	9.15	South Korea	Ministry of Defence
Image-enhancing tubes for inclusion in night-vision equipment	4.43	Jordan	Ministry of Defence
Total rounded value of licences concerned			€13.58 million

Explanatory notes:

1 Applications for dual-use goods destined for the military, police or security services in the country of final destination are assessed against the eight criteria laid down in the EU's Common Position on arms exports.

2 The amount shown represents the value of licences issued in 2014. Some of the goods in question were not actually delivered in 2014. The renewal of licences is not mentioned here again.

Annexe 4: Value of licences issued in 2014 for the transit of military goods by country of final destination¹

(in € millions)

Country of destination	Cat. A	Breakdown	Cat. B	Breakdown	Total
Argentina	1.97	A8	-		1.97
Belgium	0.02	A8	-		0.02
Brazil	8.82	A2,A10	-		8.82
Colombia	5.64	A10	-		5.64
Ecuador	-		0.01	B10	0.01
El Salvador	0.12	A9	-		0.12
France	0.01	A2	0.88	B1	0.89
Jordan	0.29	A9	-		0.29
Kenya	-		0.43	B1	0.43
Norway	0.07	A8	-		0.07
Oman	0.64	A9	-		0.64
Panama	0.23	A8, A9	-		0.23
Paraguay	0.27	A9	-		0.27
Peru	0.16	A10	-		0.16
Qatar	1.35	A9	-		1.35
Saudi Arabia	0.68	A9	-		0.68
South Africa	0.07	A9	0.01	B4	0.08
Ukraine	0.68	A10	-		0.68
United Arab Emirates ²	70.28	A2, A8, A9	0.49	B1	70.77
United States	0.04	A9	-		0.04
Total	91.34		1.82		901

¹ Transit without transshipment involving allies (EU/NATO+) is subject to a reporting requirement. Information on these reports is available on the government's internet portal at: www.rijksoverheid.nl/exportcontrole. More information on the transit licences whose value is listed here is also available there, but in the monthly summaries of licences issued for military goods rather than in the transit reports.

² The relatively high value for the UAE is almost entirely related to the transshipment of large quantities of Swiss ammunition in the Netherlands destined for the Emirati armed forces.

Annexe 5: Licence applications denials reported in the framework of the Common Position 2008/944/CFSP in 2014

Date of denial	Country of destination	Brief description	Recipient	End user	Reason for denial
28/03/2014	India	Optical components for Laser Range Finders	Bharat Electronics Ltd., Pune	Border Security Forces (BSF)	4
16/06/2014	Russia	Thermal imaging cameras	NPO Gorizont LLC, Rostov-on-Don	Border Service FSB	2, 3 and 7
02/10/2014	Taiwan	Part of F-16 landing gear	Aero Precision, US	Taiwanese Air Force	1
03/10/2014	Bangladesh	Small-calibre handguns	Moin Firearms Co., Dhaka	unknown	7

Explanatory note:

¹ In the case of dual-use goods destined for the military, police or security services in the intended country of final destination, the Netherlands is also required to report licence application denials to its EU partners.

Annexe 6: Overview of surplus defence equipment sold by the Netherlands to foreign parties in 2014¹

Type of equipment	To/via ²	Country of final destination	End user
Leopard 2A6 tanks, Leopard 2A7 tank	Krauss Maffei Wegmann (Germany)	Germany	Krauss Maffei Wegmann
Leopard 2A6 tanks	n/a	Finland	Ministry of Defence
Components for a minehunter	n/a	Pakistan	Ministry of Defence
Gas turbine parts	Turbine Support Ltd (UK)	Rolls Royce (UK)	Unknown
Leopard 2 tank components	Gunter Langkopf Maschinenbau (Germany)	Finland	Ministry of Defence
Harpoon gun components	n/a	Greece	Ministry of Defence
Various army vehicles and logistic equipment	n/a	Estonia	Ministry of Defence
Parts for Lynx helicopters	Relli Technology Holland B.V. (Netherlands)	Norway	Ministry of Defence
Gas turbine parts	n/a	Chile	Ministry of Defence
Leopard 2 tank components	SDLE (Spain)	Canada	Ministry of Defence
Parts for Lynx helicopters	ZF Luftfahrttechnik GmbH (Germany)	Germany	Ministry of Defence
CV90	n/a	Estonia	Ministry of Defence
66mm smoke dischargers	n/a	Estonia	Ministry of Defence
<i>HNLMS Amsterdam</i> , including Goalkeeper	n/a	Peru	Ministry of Defence
Engines for Lynx helicopters	n/a	South Korea	Ministry of Defence
F-16 aircraft components	ILN Technologies (US)	Indonesia	Ministry of Defence

Various types of army vehicles and YPR vehicles	n/a	Jordan	Ministry of Defence
C130 aircraft components	Aviation Trading (UK)	Indonesia	Ministry of Defence
Various types of army vehicles and parts	n/a	Rwanda	Rwanda National Police
Fokker 50 aircraft	n/a	Peru	Ministry of Defence
Leopard 2 tank components	Gunter Langkopf Maschinenbau (Germany)	Canada	Ministry of Defence
F-104	Museo del Aire	Spain	Museo del Aire
Parts for Lynx helicopters	Aviation Trading (UK)	Oman, Denmark, UK, Norway, Germany, Portugal and France	Ministry of Defence
Components for Patria armoured vehicles	n/a	Estonia	Ministry of Defence
Leopard 2 tank components	Star Defence Logistics & Engineering (Spain)	Canada	Ministry of Defence
Ballistic vests	Ministry of Foreign Affairs	Iraq	Ministry of Defence
Miscellaneous goods	Ministry of Foreign Affairs	Ukraine	Ministry of Defence
M109 howitzer parts	TMU (Netherlands)	United Arab Emirates	Ministry of Defence
Total value of contracts			approx. €400 million

Explanatory notes:

¹ The amount shown is based on the value of contracts concluded in 2014. Some of the goods in question were not actually delivered in 2014.

² Surplus defence equipment is occasionally sold to the original manufacturer. In some cases, it can also be sold through a private company to an end user who is known and approved at the time of sale or to a private company for its own use. Yet another option involves selling to a private company in another EU/NATO+ country without yet knowing the specific final destination and end user of the equipment. In such cases, an International Import Certificate is used to ensure that

any attempt to export or re-export the equipment in question will be subject to the control of the EU/NATO+ country concerned.

Annexe 7: Overview of letters to the House of Representatives and responses to written questions concerning Dutch arms export policy in 2014

Letters to the House of Representatives

23-12-2014, Parliamentary Paper **22054**, no. **258**, Arms export policy; Motion to call within the EU for a halt to arms deliveries to Ukraine

23-12-2014, Parliamentary Paper **22054**, no. **257**, Arms export policy; Motion to endeavour to publish the monthly summaries no later than two months after the export licence has been issued

17-12-2014, Parliamentary Paper **22054**, no. **256**, Arms export policy; Letter from the minister concerning arms exports to the United Arab Emirates

13-11-2014, Parliamentary Paper **22054**, no. **255**, Arms export policy; Letter from the ministers concerning the issue of a licence for the export of surplus defence equipment to Peru

13-11-2014, Parliamentary Paper **22054**, no. **254**, Arms export policy; Letter from the ministers concerning the issue of a licence for the export of surplus defence equipment to Jordan

05-11-2014, Parliamentary Paper **22054**, no. **253**, Arms export policy; Letter from the minister concerning the sale of two Fokker 50 transport aircraft

23-10-2014, Parliamentary Paper **22054**, no. **252**, Arms export policy; Letter from the ministers concerning the export of military equipment to Trinidad and Tobago

19-08-2014, Parliamentary Paper **22054**, no. **251**, Arms export policy; Report on the meeting between the Minister for Foreign Trade and Development Cooperation and the corresponding permanent parliamentary committee on, *inter alia*, deliveries by Dutch companies to the Syrian chemical weapons programme

11-08-2014, Parliamentary Paper **22054**, no. **250**, Arms export policy; Letter from the ministers presenting the report 'Dutch Arms Export Policy in 2013'

29-07-2014, Parliamentary Paper **22054**, no. **249**, Arms export policy; Letter from the ministers concerning the amendment of the EU Dual-Use Regulation and the harmonisation of European arms export policy

02-07-2014, Parliamentary Paper **22054**, no. **248**, Arms export policy; Letter from the minister concerning the proposal of a legislative bill ratifying the UN Arms Trade Treaty and a related bill amending the Strategic Services Act

23-06-2014, Parliamentary Paper **22054**, no. **247**, Arms export policy; Letter from the minister highlighting the main points of the meeting of the Australia Group, 2-7 June 2014

23-06-2014, Parliamentary Paper **22054**, no. **246**, Arms export policy; List of questions and answers regarding deliveries by Dutch companies to the Syrian chemical weapons programme

29-04-2014, Parliamentary Paper **22054**, no. **245**, Arms export policy; Letter from the minister concerning the involvement of Dutch companies in the Syrian chemical weapons programme

18-04-2014, Parliamentary Paper **22054**, no. **244**, Arms export policy; Letter from the ministers concerning the issue of a licence for the export of military equipment to Malaysia

25-03-2014, Parliamentary Paper **22054**, no. **243**, Arms export policy; Letter from the ministers concerning reporting on the assessment for the issue of a licence for the export of military equipment to Turkmenistan

19-03-2014, Parliamentary Paper **22054**, no. **242**, Arms export policy; Report on the meeting between the Minister of Security and Justice, the State Secretary for Security and Justice and the corresponding permanent parliamentary committee on, *inter alia*, the Netherlands' arms export policy and the Syrian chemical weapon programme

18-03-2014, Parliamentary Paper **22054**, no. **241**, Arms export policy; Letter from the ministers concerning the issue of a licence for the export of military equipment to Tanzania

25-02-2014, Parliamentary Paper **22054**, no. **240**, Arms export policy; Letter from the minister concerning the four licences issued by the Netherlands in 2012 for the export of dual-use goods

07-02-2014, Parliamentary Paper **22054**, no. **239**, Arms export policy; Letter from the ministers concerning the issue of licences for the export of surplus defence equipment to Jordan

Responses to written questions

08-12-2014, Parliamentary Paper 2014-2015, 26488, no. 361, Statement of the requirement for the replacement of the F-16; List of questions and answers related to the annual report over 2013 on the project to replace the F-16 (Parliamentary Paper 26488, no. 358)

30-07-2014, Questions from parliament and the minister's responses 2013-2014, no. 2625, Questions by MP Michiel Servaes (Labour Party) to the Minister for Foreign Trade and Development Cooperation about the media report 'Dutch aerospace company Fokker hit with \$21 million fine in sanctions case' (submitted 11 June 2014)

14-04-2014, Questions from parliament and the minister's responses 2013-2014, no. 1677, Questions by MP Raymond De Roon (Freedom Party) to the Minister for Foreign Trade and Development Cooperation about the construction of seven ships for the Qatari armed forces (submitted 3 April 2014)

10-03-2014, Questions from parliament and the minister's responses 2013-2014, no. 1306, Questions by MP Harry van Bommel (SP) to the Minister of Foreign Affairs about human rights violations in Egypt (submitted 28 January 2014)

Annexe 8: Letters sent to the House of Representatives under the accelerated parliamentary notification procedure in 2014

In accordance with the letter of 10 June 2011 announcing a stricter arms export policy (Parliamentary Papers, 2010-2011, 22 054, no. 165) and the motion submitted by MP Arjan El Fassed and others on 22 December 2011 on lowering to €2 million the threshold triggering the accelerated parliamentary notification procedure for certain arms export licence applications (Parliamentary Papers, 2011-2012, 22 054, no. 181), the House of Representatives received the following letters in 2014:

Parliamentary Paper	Number	Date	Country
22 054	256	17/12/2014	United Arab Emirates
22 054	255	13/11/2014	Peru
22 054	252	23/10/2014	Trinidad and Tobago
22 054	244	18/04/2014	Malaysia
22 054	243	18/04/2014	Turkmenistan
22 054	241	18/03/2014	Tanzania

Letter of 10 December 2014 to the President of the House of Representatives by the Minister for Foreign Trade and Development Cooperation, writing in her own capacity and on behalf of the Minister of Foreign Affairs, concerning arms exports to the United Arab Emirates (House of Representatives 2014-2015, 22 054, no. 256)

In accordance with the stricter arms export policy announced by letter on 10 June 2011 (Parliamentary Papers, 2010-2011, 22 054, no. 165) and the motion submitted by MP Arjan El Fassed and others on 22 December 2011 on lowering to €2 million the threshold triggering the accelerated parliamentary notification procedure for certain arms export licence applications (Parliamentary Papers, 2011-2012, 22 054, no. 181), the government wishes to present the following information concerning two licences worth \$61,258,242 issued by the Netherlands for the export of military equipment to the United Arab Emirates (UAE).

A Dutch company recently obtained two licences to export surveillance radar systems, identification systems and related equipment to the UAE. The systems were purchased for the UAE's navy and will be installed in new patrol vessels. These patrol vessels will be deployed in a number of situations, including providing logistic support for the protection of the UAE's exclusive economic zone in the Persian Gulf and the Arabian Sea.

The licence application was assessed against the eight criteria of the EU's Common Position on arms exports. The relevant parts of this assessment, which resulted in the approval of the application, are summarised below.

Human rights (criterion 2)

In a number of respects the human rights situation in the UAE gives cause for concern. There are concerns about restrictions on the freedom of expression and association, and the freedom of movement of both local and international NGOs. Freedom of religion has been enshrined in the Emirati constitution. Although certain restrictions remain, this freedom is upheld in practice. As with other countries in the region, there are concerns about labour migrants in the UAE, with regard to both working conditions and their dependent legal position. Given the nature of the goods in question, there is no chance that they could be used to perpetrate human rights violations. Moreover, the navy does not interfere in politics in the UAE.

Internal conflicts (criterion 3)

In the UAE, members of the Muslim Brotherhood are being prosecuted for 'activities that undermine the state', though this has not led to any internal conflict or unrest. The UAE is a stable country, thanks in part to its high standard of living. Given this internal situation and the nature of the goods, it is not plausible that the present transaction could lead to a worsening of the situation.

Regional stability (criterion 4)

The UAE has indicated a desire to play a more assertive military role in the region by taking more forceful action against radical Islamic movements. This change in its security strategy can be attributed in part to the growing violence in the wider region. The UAE is greatly concerned about the situation in Syria and Iraq and the rise of ISIS. By taking part in the international coalition against ISIS, the UAE has demonstrated its commitment to taking forceful action against radical Islamic movements in the region. The UAE also works to coordinate Arab countries' response to the Syria crisis.

Since 1971 the UAE has been involved in a territorial dispute with Iran over a number of islands in the Persian Gulf occupied by Iran (Abu Musa and the Tunb islands). As both Tehran and Abu Dhabi have expressed their wish for a diplomatic solution to the dispute, it is unlikely that this will lead to an armed conflict.

Attitude towards terrorism and cross-border crime (criterion 6)

Given the UAE's efforts in the fight against ISIS, the country is a potential target for terrorism. The UAE is actively involved in combating terrorism and violent extremism. For example, it plays an active role in the Global Counterterrorism Forum, acting as co-chair of the working group on Countering Violent Extremism. In this capacity the UAE is organising a multilateral meeting on combating violent extremism from 9 to 11 December.

These two patrol vessels represent a major expansion of the UAE's naval capabilities in a tense region. They will be deployed by the coastguard to provide logistic support. In a region marked by mounting tensions and outbreaks of violence, the UAE has legitimate maritime security interests with regard to protecting its exclusive economic zone in the Persian Gulf and the Arabian Sea.

Letter of 7 November 2014 to the President of the House of Representatives by the Minister of Foreign Affairs and the Minister for Foreign Trade and Development Cooperation concerning the issue of a licence for the export of surplus defence equipment to Peru (House of Representatives 2014-2015, 22 054, no. 255)

In accordance with the stricter arms export policy announced by letter on 10 June 2011 (Parliamentary Papers, 2010-2011, 22 054, no. 165) and the motion submitted by MP Arjan El Fassed and others on 22 December 2011 on lowering to €2 million the threshold triggering the accelerated parliamentary notification procedure for certain arms export licence applications (Parliamentary Papers, 2011-2012, 22 054, no. 181), the government wishes to present the following information concerning a licence worth €52,000,000 issued by the Netherlands for the export of surplus defence equipment to Peru.

The Ministry of Defence recently obtained an export licence for the export of the supply ship *HNLMS Amsterdam*, including the Goalkeeper weapon system, to Peru. The transaction also includes a set of spare parts, a training course, the maintenance concept and documentation. The end user is the Peruvian navy. The transfer of the *Amsterdam* to the Peruvian navy will take place on 4 December 2014 in The Hague. Peru would like to start deploying the ship in early 2015 to deal with the expected effects of El Niño.

The licence application was assessed against the eight criteria of the EU's Common Position on arms exports.¹⁸ The relevant parts of this assessment, which resulted in the approval of the application, are summarised below, with particular attention to the regional context (criterion 4).

Human rights (criterion 2)

The human rights situation in Peru has been improving. President Ollanta Humala has explicitly affirmed the importance of respecting human rights. An emphasis on reducing poverty and promoting social inclusion can lead to further improvements.

Yet a number of concerns remain. Institutions operating in areas related to the legal order, stability and security are weak and less than transparent. Peru's indigenous population has little say in the running of the country, even though certain provisions to this effect are enshrined in law. In 2012 and 2013 various protests, especially in the extraction sector in poorer parts of the country, prompted a violent crackdown by the security services, resulting the deaths of demonstrators and the detention of human rights defenders.

The goods in question (a supply ship with a defensive weapon system design to intercept incoming missiles) are in no way connected to the concerns cited above. The end user (the navy) is not involved in these human rights violations.

¹⁸ Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment.

Internal conflicts (criterion 3)

There is no internal conflict in Peru, apart from the above-mentioned socioeconomic tensions. One challenge that does exist is the fight against cocaine production in Peru. The weakened resistance movement the Shining Path has become active again in recent years in engaging in and protecting the drug trade, and cocaine production in Peru has grown sharply during that time. Peru has passed Colombia as the largest producer and exporter of cocaine. In response to this development President Humala presented a new strategy for the 2012-2016 period and announced his intention to set aside a greater proportion of the budget to deal with the drug problem. The Peruvian army will be deployed to fight the Shining Path and destroy drug farms. In 2013 three Peruvian soldiers were killed in action. As far as is known, there have been no civilian casualties.

Regional stability (criterion 4)

A maritime border dispute with Chile, which has led to occasional flare-ups in bilateral tensions, was settled by the International Court of Justice on 27 January 2014 to the mutual satisfaction of both parties. The outcome is expected to form a good basis for the enduring stability of bilateral relations. President Humala has expressed a willingness to pursue improved relations with Peru's neighbours. Peru also plays a positive role when it comes to regional integration, and it was one of the founders of the Pacific Alliance in 2012.

Letter of 17 October 2014 to the President of the House of Representatives by the Minister of Foreign Affairs and the Minister for Foreign Trade and Development Cooperation concerning the export of military equipment to Trinidad and Tobago (House of Representatives 2014-2015, 22 054, no. 252)

In accordance with the stricter arms export policy announced by letter on 10 June 2011 (Parliamentary Papers, 2010-2011, 22 054, no. 165) and the motion submitted by MP Arjan El Fassed and others on 22 December 2011 on lowering to €2 million the threshold triggering the accelerated parliamentary notification procedure for certain arms export licence applications (Parliamentary Papers, 2011-2012, 22 054, no. 181), the government wishes to present the following information concerning a licence worth €140,391,927.46 issued by the Netherlands for the export of military equipment to Trinidad and Tobago.

A Dutch company recently obtained a licence to export coastguard patrol vessels to Trinidad and Tobago. The patrol vessels will be used by the coastguard of Trinidad and Tobago. A number of the vessels will be equipped with a 20mm gun and machine gun mounts. The patrol vessels will be used for maritime surveillance, for instance to combat drug trafficking and people smuggling and to carry out search and rescue operations in the coastal waters around Trinidad and Tobago.

The licence application was assessed against the eight criteria of the EU's Common Position on arms exports. The relevant parts of this assessment, which resulted in the approval of the application, are summarised below.

Criterion 2 (human rights)

There are a number of concerns with regard to the human rights situation in Trinidad and Tobago. There have been reports of, in some cases deadly, police violence against suspects. Conditions in prisons are poor, and violence is not uncommon. A number of victims of prison violence have been compensated as a result of civil lawsuits, but there are as yet no indications that any perpetrators have been convicted in criminal cases. There are also concerns about corruption, the position of women and the lack of safeguards for LGBT rights.

The coastguard of Trinidad and Tobago, however, is not involved in any of these concerns.

Criterion 4 (regional stability)

There have been sporadic political tensions with Barbados and Venezuela about fishing in the other country's territorial waters and exclusive economic zones. There had previously also been tensions with Venezuela about oil reserves in the waters between the two countries. The relationship between Trinidad and Tobago and Venezuela is currently stable. A previous dispute about maritime borders with Barbados was settled by the Permanent Court of Arbitration, largely to the satisfaction of both parties.

The patrol vessels in question are mainly suitable for coastguard duties and will not affect the regional military balance. The risk that the above-mentioned disputes could spark a military escalation is slight.

Criterion 5 (Security of the Netherlands and allies)

The present transaction does not pose a risk to Dutch defence and security interests, or those of allies.

Trinidad and Tobago is a major hub for the transport of drugs to Europe, West Africa and North America, and the US regularly calls upon it to do more to address this issue and other forms of cross-border crime. The delivery of the patrol vessels in question will enable Trinidad and Tobago to take more effective action against cross-border crime (including drug trafficking), a development that also stands to benefit the Netherlands.

Letter of 15 April 2014 to the President of the House of Representatives by the Minister of Foreign Affairs and the Minister for Foreign Trade and Development Cooperation concerning the issue of a licence for the export of surplus defence equipment to Peru (House of Representatives 2014-2015, 22 054, no. 244)

In accordance with the stricter arms export policy announced by letter on 10 June 2011 (Parliamentary Papers, 22 054, no. 165) and the motion submitted by MP Arjan El Fassed and others on 22 December 2011 on lowering to €2 million the threshold triggering the accelerated parliamentary notification procedure for certain arms export licence applications (Parliamentary Papers, 22 054, no. 181), the government wishes to present the following information concerning a licence worth €43,562,360 million issued by the Netherlands for the export of military equipment to Malaysia.

A Dutch company recently obtained a licence to export surveillance radar systems and identification systems to Malaysia. The systems were purchased for the Malaysian navy and will be installed in new patrol vessels.

The licence application was assessed against the eight criteria of the EU's Common Position on arms exports. The relevant parts of this assessment, which resulted in the approval of the application, are summarised below.

Criteria 2 and 3 (human rights and internal conflicts)

There are a number of concerns with regard to the human rights situation in Malaysia, principally imprisonment without a fair trial, the arrest of opposition activists, discrimination on the basis of sexual preference and restrictions on freedom of expression.

Prior to the parliamentary elections in May 2013 there was evidence of a degree of popular unrest. Accusations of electoral fraud led to a turbulent campaign period with demonstrations and arrests in the spring of 2013 in the major cities. After May 2013 the streets of Kuala Lumpur were once again calm.

Given the nature of the goods in question, there is no chance that they could be used to perpetrate human rights violations. The Malaysian navy does not interfere in politics and is not known to have been involved in any human rights violations mentioned above.

Criterion 4 (regional stability)

Border disputes with Indonesia and Singapore have been brought before the International Court of Justice by the countries involved. In recent years Malaysia has played a major facilitating role in

achieving a peace settlement and agreeing new rules on autonomy with the Islamic separatist movement on Mindanao (the Philippines).

A recent violent occupation in Sabah by supporters of the Sultan of Sulu (the Philippines) was resolved diplomatically between Manila and Kuala Lumpur.

These six new patrol boats considerably expand the military capability of the Malaysian navy in a fairly volatile region. Given Malaysia's willingness to resolve disputes with neighbours diplomatically, it is unlikely the existing regional issues will escalate militarily.

Criterion 6 (attitude towards terrorism and cross-border crime)

Since 2000, Malaysia has seen a number of cases of escalation of religious violence against the country's Christian and Hindu minorities. It was also faced with cross-border terrorist activities which have spilled over from southern Thailand, and sometimes violent Islamic separatist groups in the Sulu archipelago.

Malaysia also has to deal with cross-border crime as a result of organised drug trafficking. The Malaysian government has a legitimate security interest in fighting terrorist threats and the illegal drug trade.

Letter of 19 March 2014 to the President of the House of Representatives by the Minister of Foreign Affairs and the Minister for Foreign Trade and Development Cooperation on concerning reporting on the assessment for the issue of a licence for the export of military equipment to Turkmenistan (House of Representatives 2014-2015, 22 054, no. 243)

The covering letter to the House that accompanied the annual report 'Dutch Arms Export Policy in 2012' stated that, inadvertently, no accelerated notification was sent for the export of military equipment to Turkmenistan (Parliamentary Paper 22 054, no. 233). At a meeting to discuss arms export policy with the parliamentary committee on foreign trade and development cooperation on 5 February, the ministers undertook to submit this letter to the House.

This letter fulfils that promise.

This letter also constitutes accelerated notification regarding a recent licence worth €6,800,000 issued by the Netherlands for the export of military equipment to Turkmenistan in accordance with the stricter arms export policy announced in the letter of 10 June 2011 (Parliamentary Paper 22 054, no. 165) and the motion submitted by MP Arjan El Fassed and others on 22 December 2011 on lowering to €2 million the threshold triggering the accelerated parliamentary notification procedure for certain arms export licence applications (Parliamentary Papers, 22 054, no. 181).

In 2012 a Dutch company obtained a licence worth €19,250,000 to export a number of surveillance radar systems intended for patrol vessels of the Turkmen coastguard. In 2014 another licence was issued to the same company to export the same type of surveillance radar for the same end user. This time the value of the licence was €6,800,000.

These licence applications were assessed against the eight criteria of the EU's Common Position on arms exports. The relevant parts of this assessment, which resulted in the approval of the application, are summarised below.

Criterion 2 (human rights and international human rights obligations)

The human rights situation in Turkmenistan, one of the most restrictive regimes in the world, is troubling. Although fundamental freedoms, like the freedom of expression, movement and religion, are enshrined in the country's constitution, they are subject to heavy restrictions in practice. Gurbanguly Berdimuhamedow's ascension to the presidency in 2006 has not led to any significant progress on human and civil rights.

Human rights organisations have spotlighted instances of detention without charge, torture, disappearances and excess force on the part of the police and security services. There are no opposition parties; the media are controlled by the state, and it is virtually impossible, in practice, to establish an independent NGO.

In light of this troubling human rights situation, the government took a careful look at the relationship between the item in question, the end user and the end use. The surveillance radar systems are intended for patrol vessels of the Turkmen coastguard in the Caspian Sea. The main duty of the coastguard is to protect the territorial waters, especially given the presence of sizeable oil and gas fields. However the coastguard plays no role in the violation of fundamental freedoms in Turkmenistan, meaning that there is no direct link to the above-mentioned human rights violations, such as torture, disappearances and excess force on the part of the police and security services. As a result, the assessment for this criterion was positive.

Criterion 4 (regional stability)

The most important regional issue is the status of the Caspian Sea. The Caspian Sea states, i.e. Azerbaijan, Iran, Kazakhstan, Russia and Turkmenistan, have been in negotiations for many years about the legal status of borders in the Caspian. There are tensions between some countries because of differences in opinion about the control of certain parts of the Caspian, especially given the considerable oil and gas fields there. These disputes are discussed at political level and have not led to destabilisation of the situation. Ongoing stability is also in the interest of some Caspian Sea states, in connection with the planned Trans-Caspian Gas Pipeline.

Various states around the Caspian Sea are currently expanding their coastguard and naval capabilities or modernising their fleets. Turkmenistan is also investing in its coastguard and navy. The purchasing of surveillance radar systems is one aspect of these efforts. Thanks to the political dialogue between these countries, these investments have not led to a deterioration of regional stability.

Criterion 8 (technical and economic capacity of the recipient country)

Turkmenistan is categorised by the OECD as a Lower Middle-Income Country. There is no recent data available on defence and education expenditure. Data on healthcare is scarce, but an estimated 4.8% and 4.9% of GDP was spent in this area in 2005 and 2006, respectively. Around 70% of the government's budget is spent on social provisions, such as free gas, salt, water and electricity for the entire population.

Letter of 14 March 2014 to the President of the House of Representatives by the Minister of Foreign Affairs and the Minister for Foreign Trade and Development Cooperation concerning the issue of a licence for the export of military equipment to Tanzania (House of Representatives 2014-2015, 22 054, no. 241)

In accordance with the stricter arms export policy announced by letter on 10 June 2011 (Parliamentary Papers, 2010-2011, 22 054, no. 165) and the motion submitted by MP Arjan El Fassed and others on 22 December 2011 on lowering to €2 million the threshold triggering the accelerated parliamentary notification procedure for certain arms export licence applications (Parliamentary Papers, 2011-2012, 22 054, no. 181), the government wishes to present the following information concerning a licence worth €30,000,000 issued by the Netherlands for the export of military equipment to Tanzania.

A Dutch company recently obtained a licence to export four unarmed armoured patrol vessels with machine gun mounts to Tanzania. The vessels, which were purchased by the Tanzanian state petroleum company, will be used by the Tanzanian navy to combat piracy and to protect the country's territorial waters, including oil and gas platforms.

The licence application was assessed against the eight criteria of the EU's Common Position on arms exports.¹⁹ The relevant parts of this assessment, which resulted in the approval of the application, are summarised below.

Criterion 2 (human rights and international human rights obligations)

In a number of respects, the human rights situation in Tanzania gives cause for concern. There is discrimination on the basis of sex, sexual orientation, and health or physical disability. There are also concerns about impunity, the independence of the judiciary and the continued (formal) existence of the death penalty, even though it is no longer carried out.

Given that the Tanzanian navy is not involved in any of the above issues, and considering the nature of the goods in question and their end use, they will not contribute to the human rights violations discussed above or lead to a further deterioration of the human rights situation.

Criterion 4 (regional stability)

Tanzania has good relations with its neighbours and plays a stabilising role in the region. Piracy is a problem in the coastal waters of Tanzania as a result of instability of Somalia.

¹⁹ Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment.

The delivery of these goods is in keeping with the efforts of the Netherlands and the international community to encourage countries in the region to play a greater role in fighting piracy. This delivery will not disrupt regional stability.

Criterion 8 (technical and economic capacity of the recipient country)

The patrol vessels in question will be acquired by the Tanzania Petroleum Development Corporation (TPDC). The costs of protecting the oil and gas platforms will be passed on by the TPDC to private oil and gas companies operating in Tanzania. The vessels will be used by the Tanzanian navy.

Payment for the transaction will not come out of the Tanzanian defence budget. Therefore, there is no reason to assume that this transaction will have a negative impact on social services, such as education and healthcare.