

Global Initiative to Galvanize Political Commitment to International Humanitarian Law – Third state consultation on IHL and peace (Workstream 3)

Intervention by The Netherlands:

First of all, I would like to thank the ICRC and the co-sponsors of this workstream for organizing today's consultation. The Netherlands welcomes this consultation, examining the role of disarmament across the conflict cycle: in preserving and upholding IHL, in mediation processes and in transitions from war to peace.

It is essential to maintain attention to disarmament and arms control obligations throughout the conflict cycle. The use of weapons during armed conflict is not without limits. Respect for these limits, and compliance with the peacetime obligations, is fundamental to mitigating human suffering and preserving a minimum of humanity in war.

[Question 1]

In this context, the Netherlands notes that States must continue to ensure that their arms export control procedures and legal reviews remain in compliance with international law. The Netherlands is committed to the Arms Trade Treaty and has clear and thorough arms export control procedures in place.

The legal review procedure under Article 36 of Additional Protocol I to the Geneva Conventions is another peacetime obligation. The Netherlands Ministry of Defense complies with this obligation through the Advisory Commission on International Law and the Use of Conventional Weapons. Transparency is ensured through publication of weapon reviews on the Advisory Commission's website, a good practice that other States may wish to adopt.

[Question 2]

From a humanitarian perspective, certain categories of weapons have indiscriminate effects on civilians or cause unnecessary suffering to combatants. Some weapons lead to devastating humanitarian consequences during conflict and continue to endanger civilians, long after hostilities have ceased, notably through land contamination by mines and explosive remnants of war.

It is paramount that IHL and disarmament obligations are observed. Under Protocol V to the CCW Convention, sharing information on abandoned weapons stockpiles and types of munitions used, facilitates the safety of clearance personnel and civilians. Such measures can be integrated into peace negotiations and agreements. There is a fundamental connection between upholding IHL and contributing to sustainable peace. Strict compliance with IHL, including disarmament obligations, has the potential to build trust among former enemies; protect civilians and supports lasting agreements.

[Questions 3 and 4]

The Netherlands is committed to its disarmament obligations under international law. The humanitarian treaties have demonstrably reduced civilian casualties, led to the destruction of stockpiles and improved assistance to victims. The Netherlands seeks to eliminate the humanitarian impact of weapons on the civilian population to the greatest extent possible and to assist affected communities where feasible.

In light of this, the Netherlands launched its third multi-annual Mine Action and Cluster Munitions Programme, aimed at improving the safety of affected populations and enabling the use of land. By clearing contaminated land, the programme restores livelihoods, supports agriculture and education, facilitates the safe return of internally displaced persons and prevents further environmental degradation. Clearance efforts are critical for recovery, long-term resilience and peacebuilding.

The Netherlands recommends all States to adopt similar national programmes to implement these obligations, ensuring that commitments made in times of peace remain effective during and after armed conflict.

Thank you, Chair.