

Reactie op Internetconsultatie Vernieuwd Beleid Buitenlandse Handel en Ontwikkelingssamenwerking

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Question 1: How can the Netherlands (the government, the private sector, social enterprises, civil society and knowledge institutions) achieve more results on the following themes: conflicts and instability, reception in the region and emergency aid?

Question 6: Do you have any concrete suggestions on how the government could help ensure that international trade and investments contribute to the achievement of the Sustainable Development Goals?

In order to achieve more results in addressing conflicts and instability, we recommended that the Netherlands adopts trade and development policies that aim at fostering the compliance of foreign partners with international standards, including fundamental human rights, socio-economic rights, and environmental protection. Such approach will also contribute to the achievement of SDG 16 on peace, justice and strong institutions and SDG 17 on international cooperation.

First, trade and development policies can be used as leverage to induce respect for international norms. By developing conditional policies which subject trade deals or the delivery of aid to efforts in abiding by these norms, the Netherlands can exert influence over its foreign partners and promote universal compliance with international standards.

Second, the Netherlands should take into account the possibility for trade or development activities to directly or indirectly contribute to human rights abuses and other international law violations by foreign partners, and thereby the risk for the Netherlands to be complicit in these abuses. This is particularly relevant to arms trade and to trade in dual-use systems (such as mass surveillance technologies). In order to ensure that it complies with its obligations under Article 6(3) of the Arms Trade Treaty, the Netherlands must refrain from authorizing any arms transfer to States known to commit grave international law violations.

Furthermore, the Netherlands should closely regulate trade between Dutch companies and foreign authoritarian regimes, and ensure that Dutch products, services, and technologies are not used to perpetrate human rights abuses abroad. For instance, in the past years, surveillance software sold by French, Italian or Canadian companies has been found to be used by authoritarian regimes such as Egypt, Libya or Syria. In this respect, we recommend that the Netherlands adopts strict standards requiring active diligence in assessing any foreseeable risk that traded items could be used to commit international law violations. Although some regulatory efforts have been conducted at the EU level (e.g. Council Regulation (EC) No 428/2009 of 5 May 2009), there is an opportunity for the Netherlands to lead an initiative advocating for stronger cooperation standards.

In order to implement the above recommendations, the government is invited to enter into further consultations with research institutions such as the TMC Asser Institute.