

National Coordinator for Counterterrorism

To the President of the House of Representatives
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Policy and Strategy Department
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Fourth progress report on counterterrorism

On 5 December 2005, the House received the third progress report on counterterrorism.¹ Now, nearly six months later, it is time for the fourth progress report. At various times during the intervening period we have informed you about aspects of anti-terrorism policy and topics that have a bearing on the fight against terrorism. Amongst the information provided to the House has been the 'Policy framework for intervening in hotbeds of radicalism',² a letter about the national public information campaign 'The Netherlands against Terrorism',³ a summary of the National Terrorist Threat Assessment (DTN) of February 2006⁴ and a publication by the General Intelligence and Security Service (AIVD), *De gewelddadige jihad in Nederland* (Violent Jihad in the Netherlands).⁵ You have also received progress reports on the fight against CBRN terrorism and disaster management⁶ and on the implementation of the Oord Committee's recommendations.⁷ Finally, the Minister for Government Reform and Kingdom Relations informed the House about the progress made in intensifying cooperation between the countries of the Kingdom in the fight against international terrorism.⁸ In this fourth report, we will deal with the topics mentioned above only insofar as there have been

¹ House of Representatives, 2005-2006 session, 29 754, no. 60

² House of Representatives, 2005-2006 session, 29 754, no. 61

³ House of Representatives, 2005-2006 session, 29 754, no. 65

⁴ House of Representatives, 2005-2006 session, 29 754, no. 66

⁵ House of Representatives, 2005-2006 session, 29 754, no. 69

⁶ House of Representatives, 2005-2006 session, 29 753, no. 70

⁷ House of Representatives, 2005-2006 session, 24 804, no. 39

⁸ House of Representatives, 2005-2006 session, 29 754, no. 62

new developments since we last communicated with the House.

Like its predecessors, this report starts with a summary of the most recent National Terrorist Threat Assessment (DTN) (May 2006). The DTN is drawn up quarterly by the National Coordinator for Counterterrorism (NCTb), who is solely responsible for its content. We have decided to provide a more detailed summary of the DTN than in previous progress reports, to give the House a better understanding of the current threat level. The General Intelligence and Security Service publication mentioned earlier, *Violent Jihad in the Netherlands*, also provides information on how jihad terrorism is manifesting itself in the Netherlands and on the factors and trends that affect the current and future threat posed by jihad terrorism.

As in previous reports, the summary of the DTN is followed by a discussion of the various elements of anti-terrorism policy, insofar as there is relevant progress to report. These include combating radicalisation, creating an effective and responsive organisation and instruments, and preparing for a potential attack and its consequences. This report also contains a new section on security measures, which looks at the Counterterrorism Alert System and the Surveillance and Protection system as well as other topics. The report concludes with sections on communication and international developments.

In accordance with the undertaking given to the Permanent Committee in our meeting on 26 January 2006, a list of action points is once again appended to this progress report.

1. Current threat assessment (summary), May 2006

Threat level

Looking at a combination of factors and balancing the threat against the measures that are in place to combat it, the NCTb has concluded that the level of threat to the Netherlands continues to be substantial. This means that there is a realistic possibility that an attack will take place in the Netherlands. In reaching this conclusion, account was taken of the following factors:

On the threat side, the level is determined by the international situation, primarily the course of the conflict in Iraq and the ensuing security risks for the West. However, the security situation in Afghanistan, the mounting controversy over Iran, the emergent activities of transnational networks in North Africa, virtual networks on the Internet and the rapid spread of jihad ideology also all contribute to the threat. The international situation has unfavourable

effects in the Netherlands because the networks that are active here are once again looking to the international arena – and to a greater extent than before – as a source of motivation and a focus for their activities. Moreover, the Netherlands is perceived by radical Muslims to be an enemy of Islam because of the fact that it is an ally of the United States and the United Kingdom and because of the heated debate on Islam in this country. This negative image may worsen further as local issues, such as controversial debates or artistic works on Islamic themes, attract international attention and are framed as an attack on Islam. Such things are grist to the mill of ultra-orthodox and radical movements, such as the Salafists, who are rapidly gaining influence in the Dutch context, both on the Internet and in an ever-greater number of mosques. Not only that, their language of choice is Dutch, which enables them to reach a growing group of young Muslims, with all the attendant risks of radicalisation.

On the other hand, the discernible threat is tempered to some extent by a gradual, but steadily increasing readiness in the Islamic community to acknowledge the problems caused by radicalisation and recruitment and to act against them. Various initiatives have been taken to that end, with increasing attention being devoted to promoting Dutch-language diversity in the politico-religious debate as a way of countering radical messages. The efforts on the part of the authorities to reduce the terrorist threat have become manifest recently in the conviction of a number of suspected members of the Hofstad network, the use of person-specific interventions and – wherever possible – the deportation of high-risk individuals, and increased public vigilance through an information campaign.

Below is an outline of the most significant factors determining the current level of threat to the Netherlands.

Terrorism and recruitment

The impact of domestic networks on the level of threat is appreciable and unabated. Such internal networks can be seen to be developing a more internationally-oriented agenda, and it is possible that the focus on potential targets could move from the domestic to the foreign sphere. More probable, however, is that the international agenda will coexist alongside the national agenda, at least in the short term. The expected increase in the professionalism of various networks, as a result of the injection of internationally available expertise, constitutes a security risk.

The risk that terrorists might in future use non-conventional (i.e. CBRN) weapons in the Netherlands is estimated, in the short term, to be small but real. The assessment is that such

an attack would be small in scale with a limited number of victims, though psychologically disruptive.

In recent months there seems to have been a revival of jihad activity in North Africa, with groups there focusing increasingly on global jihad. There are reports of a new, transnational partnership between jihad networks which appears to be aimed, among other things, at recruiting jihad fighters for the conflict in Iraq. This emergent network, the 'Al Qaida organisation in the Arab Maghreb', though modest in size, has adherents in Morocco, Mauritania, Algeria, Tunisia and Libya. At the same time it is recruiting volunteers in Europe.

With regard to the international agenda, a cautious shift in emphasis can be detected in the propaganda put out by the weakened core of Al Qaida. One of its leaders, al-Zawahiri, has called on Muslims world-wide to carry out attacks on the West. It is notable that al-Zawahiri has identified the economy as the primary front and encouraged the use of boycott as a weapon. With this tactic he is attempting to appeal not only to radical Islamists but also to more peaceable Muslims, who hitherto could not have been numbered among potential adherents of the Al Qaida ideology. On the other hand, this move might equally indicate weakness at the core of Al Qaida or a lack of control over potentially strong networks affiliated to Al Qaida. The thwarted attacks on oil installations in Saudi Arabia could also be a result of this shift in emphasis.

On the Internet, jihad networks are increasingly resorting to restricted websites and forums for communication, planning and command. The Internet also provides opportunities for forming virtual networks, which require little or no physical contact. This could not only facilitate the emergence of totally new networks, but also increase the interaction between different types of physical and virtual networks. At present, however, purely virtual networks have their limitations. As a rule, members of virtual networks will only take the step of engaging in joint action where there is genuine mutual trust.

The international appeal of the Netherlands as a potential terrorist target is undiminished. Developments relevant to terrorism and radicalisation in the Netherlands and the public debate about these trends continue to attract international attention. Local issues could lead adherents of radical Islam around the world to issue various threats against the country. In recent months the crisis resulting from the publication of the Danish political cartoons has led not only to demonstrations in many countries but also to heated international debate. Controversial debates or works of art dealing with Islam in the Netherlands could therefore be manipulated by radical Muslims abroad as a reason to cast this country in a bad light. For

various groups in the Arab and Iranian world the announcement that a sequel would be made to the film *Submission* is sufficient reason to turn their attention to the Netherlands as a potential target for protest actions.

Finally, Europe has recently become reacquainted with another, non-jihadist strain of terrorism. Kurdish separatists have carried out a number of attacks in Turkey, and tensions are again running high, both within Turkey and among members of the Kurdish expatriate community.

International context

The threat to the Netherlands is inextricably linked to international developments, being to some degree derived from the international threat. Although it is not always possible to prove any direct effect from attacks elsewhere, jihadist terrorism in countries like Iraq, Afghanistan and Indonesia can damage Western interests, both directly and indirectly, because of their destabilising effect on the country and region, and hence on the international legal order. Moreover, the situation in Iraq and other 'hotspots' is a source of inspiration for radicalisation both at home and abroad. The situation in Iraq in particular also provides ideological fodder for the radicalisation process in the West. There are also the twin dangers of the 'export' of experienced jihad fighters from areas of conflict and of closer contacts between national and transnational terrorist networks. As far as the Netherlands is concerned, the DTN notes an internationalisation of the agenda of local networks, adding to the activities of transnational networks. For these reasons, we look at developments in various regions around the world.

In Iraq, the confidence of the rebels is growing, and for the present the leaders of the insurgency are playing no part in the political process. In short, the impasse and the conflict continue, and the history of asymmetric warfare teaches us that once an insurgency has gathered momentum, it is almost impossible to put it down by purely military means. In addition, al-Zarqawi is said to have designated the north of Sinai, Egypt and Palestine as part of the theatre of war, and Al Qaida-inspired organisations are believed to be extending their activities to Lebanon.

The security situation in Afghanistan has worsened of late, more so than was expected in view of seasonal influences. The number of suicide attacks in Afghanistan or reports of preparations for such attacks was high during the early part of 2006. Afghanistan also appears increasingly to be acting as a magnet for foreign suicide terrorists again. The combatants' strategy seems to be shifting from relatively defensive actions – focused on maintaining territory – to steadily more offensive operations aimed at expanding their sphere

of control. The southern provinces, too – Kandahar, where Dutch troops are stationed, and Uruzgan, where they will be deployed as part of the Dutch contribution to the International Security Assistance Force (ISAF) – have experienced a relatively high number of violent incidents.

There does not appear to be any specific terrorist threat to Dutch troops in Bosnia and Kosovo, although the region does remain of interest to terrorist organisations. Jihadist terrorists can obtain weapons easily, both in Albania and Bosnia. In addition, there are active jihadist networks composed of Bosnian militants, with branches throughout Europe.

Radicalisation

The radicalisation processes among the minority of the total Muslim population and some converts in the Netherlands is highly dynamic. This is manifested in a number of ways, including the further advance of Salafism in some mosques. It is now also becoming increasingly clear that the major Salafist centres in the Netherlands are actively trying to exert an ideological influence on mosques elsewhere in the country, in part by organising lectures in a large number of small Dutch towns. In addition to this ideological influence, the Salafists are also, in some instances, actively trying to take over moderate mosques.

Most young Dutch Muslims of the second and third generation do not speak Arabic, but they do have a growing need for knowledge about Islam. Salafist preachers have responded to this need, successfully organising lectures in Dutch throughout the whole country. The use of Dutch is a major factor in the success that Salafists are having with young people.

Parallel developments are occurring on the Internet. The amount of jihad material translated into Dutch, as well as the number of Dutch language websites with a radical slant, is on the increase. This online indoctrination and the takeover of mosques by Salafists are worrying developments, as they give the forces of Salafism a platform to communicate their anti-Western, anti-integration rhetoric to a wider audience.

The number of reports from the police concerning persons who are believed to be in the process of radicalisation remains stable. It should, however, be noted that these reports have not yet been subject to any detailed analysis. The number of reports of possible radicalisation among members of the armed forces is increasing gradually. There are also indications that some Ministry of Defence staff have contacts with or are members of radical groups and organisations, such as certain Islamic foundations and mosques. However, this identification of radicalisation within the armed forces is not necessarily the result of

increased radicalisation; it could just as easily be the result of heightened vigilance. As for other areas of government, virtually no information is available about potential radicalisation.

Polarisation

The Danish cartoon controversy shows that even incidents and issues that appear on the surface to be local can quickly lead to serious global tensions between Muslims and non-Muslims, as well as between various Muslim groups. Although the Danish political cartoons did not give rise to much public, let alone, violent protest in the Netherlands, the images were nevertheless condemned by a large proportion of Dutch Muslims. The reaction from orthodox Muslims was more one of outrage.

For non-Muslims, the images of enraged mobs in various Middle Eastern countries may contribute to negative views of Muslims and evoke fear of Islam in general. Moreover, some see the world-wide protests as a potential threat to freedom of expression. There has been a sharp increase in the number of reports of discrimination on the Internet as a result of the row over the Danish cartoons. The complaints relate mainly to discriminatory remarks made during discussions between Muslims and Jews, which in some cases had arisen due to anti-Semitic cartoons on the website of the Arab European League (AEL).

Resistance to radicalism

The trend indicated in the previous DTN towards increasing resistance among Muslims has continued. Various researchers in the field of terrorism and radicalism see political participation by young Muslims as a solution to radicalism. This theory is based on the idea that the anger and frustrations felt by some young, European Muslims can be channelled through politics. In this light the increasing involvement of Muslims in Dutch politics, which was apparent at the most recent municipal elections, should be viewed as a positive development. In the final analysis, this development could lead to the permanent political emancipation of these sections of the population.

Moderate mosques are increasingly convinced that Dutch-speaking imams can help stem the rising tide of Salafism in the Netherlands and reach out to the many young people who have been staying away. Such a 'linguistic offensive' assumes additional significance by giving voice to contrary views, promoting Dutch-language diversity in the politico-religious debate and challenging the mass of anti-Western, anti-integration or jihadist propaganda on the Internet.

The government's counterterrorism measures have met with varying success. The public

information campaign launched on 27 February, 'The Netherlands against Terrorism', seems to be having a favourable impact. Early results from a study assessing the public's reception of the campaign indicate that the public's response has been calm and collected. The number of reports to the 'report crime anonymously' tipline has risen slightly since the beginning of the campaign. In terms of the threat situation, this means that the public's vigilance and ability to deal with terrorism appear to have increased to some extent, though fortunately not at the expense of a rise in anxiety or growing polarisation between various population groups.

The outcome of the Hofstad Network trials is a setback for the network, as several members have received prison sentences for terrorist offences. So far no further radicalisation has been detected within local Dutch networks that can be connected with these convictions, which were met with equanimity in mainstream Muslim circles.

Gradual change is evident in the way terrorism is financed. A shift has been detected in the flows of terrorism funds, from just a small number of large transactions to literally hundreds of small ones. Moreover, as has become clear from the investigations into the bombings in Madrid and London, the financing of the attacks themselves is mainly done in small amounts.

The international fight against terrorism does have repercussions on the threat situation, indirectly harming the image of the Netherlands as a result of its involvement in the international coalition against terrorism. In recent months new images of the mistreatment of prisoners at the Iraqi Abu Ghraib prison have helped fuel the negative image held by Muslims. The treatment of detainees at Guantánamo Bay, images of mistreatment of Iraqi citizens by ill-disciplined British troops and continuing reports of secret CIA flights and CIA detention centres in Europe have severely embarrassed the international coalition against terrorism. Such reports affect opinions on and support for the coalition's military actions. A number of critical reservations have been expressed by influential academics as well.

2. Combating radicalisation

The DTN shows the importance of detecting the signs of radicalisation at an early stage and taking prompt action. This is why the government is continuing to apply the methods of

combating radicalisation proposed in the memoranda 'Radicalism and Radicalisation',⁹ 'The Local and Criminal Justice Approach to Radicalism and Radicalisation'¹⁰ and 'Resistance and Integration Policy'. This policy has the following three aims: strengthening social ties, increasing society's ability to resist radicalisation and practising active intervention. This three-track policy is being developed in consultation with the relevant ministries, local authorities and civil-society organisations.

Policy implementation

The policy aimed at strengthening social ties and increasing the ability of vulnerable groups to resist radicalisation is being coordinated by the Minister for Immigration and Integration. Last year a start was made on implementing policy set out in her memorandum, 'Resistance and Integration Policy'. Centres of expertise and minority and Muslim organisations have undertaken activities intended to bolster resistance to radicalism, particularly among young Muslims. These include debates on radicalisation organised by student and youth associations, study days for imams and mosque councils, and refresher training courses for teachers of the Koran. Most of these activities are organised in conjunction with the organisations themselves, thereby reinforcing active citizenship within these groups. As a result of such activities, a web of sympathetic partners is emerging within the various communities, institutions and authorities.

Another element of 'Resistance and Integration Policy' that has already been implemented is the organisation of experts' conferences for administrators, municipal authorities, schools and institutions within the juvenile justice system. In addition, the University of Amsterdam has completed its study of the political socialisation of both pro-democratic and radical Muslim youth. The study will be presented to the House before the summer recess.

Tackling radicalisation at local level

The memorandum 'The Local and Criminal Justice Approach to Radicalism and Radicalisation' emphasises the importance of the involvement of local authorities in combating radicalisation. A growing number of municipalities are becoming aware of the need for a policy to tackle radicalisation. The country's four largest cities (Amsterdam, Rotterdam, The Hague and Utrecht) are no longer alone in having specific anti-radicalisation policies; smaller municipalities such as Ede and Helmond have begun to develop policies of

⁹ House of Representatives, 2004-2005 session, 29 754, no. 26

¹⁰ House of Representatives, 2004-2005 session, 29 754, no. 30
House of Representatives, 2004-2005 session 29754, no. 27

their own. It is very important for the success of such local action that there is a balance between the various elements, such as youth work, security and integration, based on cooperation between the agencies concerned. A number of local authorities are also developing a municipal data analysis centre, where information on radicalisation in their town or region can be collated and analysed. Such centres should be developed in close cooperation between municipalities and regional police forces. The analyses performed by the centres can subsequently be used to help develop municipal policy on radicalisation and terrorism.

The NCTb's role in this is to stimulate and facilitate the process and to offer advice. He has, for example, developed a document – 'Counterterrorism at local level: a guide' – which sets out a basis for shaping local policy on radicalisation and counterterrorism.¹¹ The first copy of this document was formally presented to local authorities at a symposium on 1 March 2006 and copies have since been sent out to all of them. The AIVD has also intensified its contacts with municipal executives. A number of mayors from municipalities where serious problems have been identified have been comprehensively briefed about radicalisation processes in their area, and a half-day general information session will be held shortly for mayors of municipalities where radical preachers are active and radicalisation is evident.

The policy set out in the three memoranda mentioned at the start of this section is being taken up by the relevant organisations. Obviously, successful implementation will depend on effective cooperation between national and local authorities. Investigating the radicalisation phenomenon and related developments remains essential. With this in mind the Minister of Education, Culture and Science is conducting an investigation into inter-ethnic relationships in education. The House will receive an update on this from the Minister in due course. In addition, in May of this year the initial evaluation will be carried out of the various programmes and projects stemming from 'Resistance and Integration Policy'. The Minister for Immigration and Integration will provide the House with further details of how implementation of the policy is progressing. An overview of initiatives at European level to combat radicalisation can be found below, in the section on international developments.

Tackling hotbeds of radicalism

Following the third progress report, in which we discussed the headway made in tackling hotbeds of radicalism, we sent the House a 'Policy Framework for intervening in hotbeds of radicalism' on 22 December 2005. That document deals with the most important aspects of

¹¹ House of Representatives, 2005-2006 session, 29 754, no. 68

the present approach, clarifying some fundamental legal points as well as the responsibilities of the national and local authorities. It also looks at the tension between preserving fundamental freedoms and stamping out manifestations of radicalism. The policy framework was developed in cooperation with various agencies and local government, and provides the safeguards necessary for tackling hotbeds of radicalism. The NCTb gave members of the permanent committees for Justice and for Interior and Kingdom Relations a further update on the approach to hotbeds of radicalism on 15 February 2006.

Since the previous report, the various national and local agencies have begun to flesh out the policy framework. Agreements have been reached on the division of roles and ways of monitoring both the implementation and effects of the measures. The agencies involved have determined what actions to take, though for operational reasons we are unable to give any details of what these measures involve.

Developments are being carefully monitored by the parties concerned. This has resulted in the compilation of a multidisciplinary analysis of a new hotbed of radicalism. In consultation with the local and national agencies this analysis is being used to determine the right approach. At the same time, a close eye is being kept on the spread of Salafism to other centres in the Netherlands, a trend mentioned in the summary of the DTN. If this leads to new support and encouragement for radicalisation processes in other areas, the multidisciplinary national and local approach is one of the options available. The multidisciplinary analyses of the existing hotbeds of radicalism will be revised and updated during the second half of 2006. When this update has been completed, the findings will be used to examine whether the coordinated approach between local and national bodies mentioned above should be continued and, if so, to what extent.

Tackling the use of the Internet and satellite channels for radical and terrorist purposes

The approach put into effect over the past 12 months to combat radical and terrorist communications on the Internet will be developed further this year. The essence of this approach is to gain information about the problems and take a range of actions to combat them. Cooperation between government and private partners is one of its founding principles. The approach concentrates on monitoring, designing and strengthening surveillance of the Internet and detecting online radical and terrorist activity. It also includes examining effective ways of removing radical and terrorist messages from the Internet.

This spring the National Cybercrime Reporting Centre came into operation. One of its functions is to gather reports about radical and terrorist statements that appear on the

Internet. These reports are assessed by police staff and may then be forwarded to the participating organisations: the police, Public Prosecution Service and AIVD. A report may warrant further investigation on the part of these organisations or it may be incorporated into an existing investigation. Operation of the centre will be evaluated in twelve months' time, after which a decision will be made about its future and about long-term funding.

Various projects are being piloted by the police, Public Prosecution Service and non-governmental organisations for improving the monitoring, surveillance, detection and the removal of incendiary online messages. These projects are intended to intensify the efforts of these parties and increase the effectiveness of their operating methods.

Apart from these more nationally-oriented initiatives, work is being done to develop a European-level approach to tackling the use of the Internet for terrorist purposes. This primarily entails improving cooperation within the European Union (EU). Specifically this comes down to intensifying monitoring activities and exchanging intelligence and best practices. Intensification of a European-level approach will need to tie in with existing EU initiatives and developments.

The Dutch Media Authority has identified the extent to which certain foreign satellite channels that may be inciting hatred or violence can be received in the Netherlands. The Authority's list only covers those broadcasters which are likely to be subject to Dutch legal jurisdiction and therefore Dutch media supervision, in other words satellite channels transmitted using Dutch frequencies and capacity. However, at the request of the NCTb, the Media Authority has also included a number of other specific channels because of the negative publicity that has surrounded them for some time.

As stated during our meeting with the House on 26 January 2006, the main conclusions of the Media Authority's study are that:

1. there is no evidence that foreign channels subject to Dutch supervision are guilty of inciting hatred (including anti-Semitism) or violence, but:
2. apart from the broadcasts that are now being blocked by the French supervisory body, CSA (i.e. Al Manar and Sahar TV1), there are a few other channels that can be received in the Netherlands that could be guilty of broadcasting anti-Semitic and/or other radical messages, namely the Iranian station Al Alam and the Saudi Arabian Art Iqraa.

The CSA is monitoring these channels closely, and the Dutch Media Authority is maintaining contact with them about these and a number of other channels about which complaints are being received. The NCTb, in consultation with the Authority, will examine these complaints

on a case-by-case basis to assess to what extent we can support the French authorities.

Satellite television, like the Internet, is a medium that has a distinctly international character. This is the main problem in tackling channels that are used for radical and terrorist purposes. Even if one member state (in this case, France) takes its own measures, thereby blocking the transmission of certain programmes via a European provider, this does not affect transmissions via satellites operated by non-European providers and/or via the Internet.

Anticipating this problem, the European Union intends to develop a common foreign policy towards third countries that continue to facilitate extremist transmissions to Europe. We are looking into the extent to which the Netherlands might spearhead this development. For the time being member states will discuss the issues involved and agree measures in the working group of European supervisory bodies that was set up specially for the purpose.

Apart from identifying and listing satellite channels, an investigation has also been carried out to find out what instruments could be used to put a stop to transmissions by channels that incite hatred or spread extremist ideas. It has been decided that the Media Act should be amended, and the Minister of Education, Culture and Science is currently working on an amendment bill. It goes without saying that the instruments to be developed can only be used if the broadcaster concerned is subject to Dutch supervision.

3. Effective and responsive organisation and instruments

Expansion of the National Police Services Agency (KLPD)

In 2005, to cope with its additional packet of responsibilities, the National Police Services Agency (KLPD) set up a new operational unit – the Counterterrorism and Counter Activism Unit (UCTA) – and expanded existing departments, including the Royalty and Diplomatic Protection Department (DKDB) and the National Criminal Intelligence Department (DNRI). The KLPD's new duties include compiling a terrorist crime pattern analysis (CBA), conducting criminal investigations into terrorist offences, continuing to produce threat reports, threat assessments and threat analyses, and providing personnel for bodyguard duties.

Virtually all of these new duties are being performed to the satisfaction of the client or consumer. The increase in personnel required has not yet been fully achieved, as the pool of

labour with the required expertise is small. There are also delays in appointing staff because of the lengthy security screening process. However, it is proving possible to handle the new duties by re-prioritising activities, particularly those of the National Crime Squad (DNR) and the National Criminal Intelligence Department. The aim is to complete the expansion on schedule by the end of 2006 by stepping up recruitment.

Expansion of the Public Prosecution Service

The third progress report stated that the National Public Prosecutor's Office for Financial, Economic and Environmental Offences (FP) had initiated the staff expansion necessary to step up efforts to fight terrorist financing, tackle terrorism by means of civil proceedings and supervise legal entities. Since then the FP has built up sufficient capacity to enable it to cope with these new responsibilities.

Civil powers of the Public Prosecution Service

On 5 January 2006, the Amsterdam Court of Appeal upheld Amsterdam District Court's decision to reject an application from the Public Prosecution Service to ban and dissolve the Al Haramain Humanitarian Aid foundation. The Court of Appeal ruled, in essence, that there was insufficient evidence that the activities or objectives of this foundation were contrary to public policy.¹²

Approach to terrorist financing

Dealing with terrorist financing remains extremely important. This was re-emphasised at an international conference on terrorist financing organised by the Dutch Ministry of Finance in The Hague on 15 and 16 March 2006. However, the task of tackling terrorist financing has become more complex. One reason, as reported in the DTN, is that the size of financial transactions is becoming smaller and smaller. The fact that certain low-profile terrorist networks are continually searching for more informal ways of transferring funds makes the job of tackling terrorist financing more difficult. One result of the investigations into the bombings in Madrid and London is the discovery that attacks are financed mainly by small amounts in large quantities. For these reasons, the 'follow the money' approach, in tandem with preventative measures such as the freezing of assets, is becoming increasingly important.

The 'follow the money' approach requires pro-active financial investigations, both before and after attacks. One of the recommendations of the Hague conference was to make a

¹² See answers to questions in the House from MP Wilders, House of Representatives, 2005-2006

comprehensive financial investigation a standard component of any investigation into terrorist activities. Another of its recommendations was to invest even more in the exchange of information, not only between government departments, both nationally and internationally, but also between the public and private sector and between financial institutions themselves.

Border controls and identity checks

On 3 February 2006 the government presented an Action Plan on Border Controls to the House of Representatives.¹³ Progress on the measures contained in the action plan is outlined below and a summary of the measures is included as an annexe to this letter.

On 1 March 2006 a pilot scheme was launched, which provided for joint surveillance of the coastline, small ports and small airports by the Royal Military Constabulary (KMar), Seaport Police (ZHP) and Customs, with a view to enhancing oversight of these locations. The joint patrols will be operated on a temporary basis, for a period of six months. The pilot scheme will be evaluated in September 2006.

The operation of joint patrols is connected with several other measures from the Action Plan. A number of separate working groups have now been set up to implement these other measures. The groups are currently examining a number of issues, including harmonising plans for information requirements, optimising links between border control information systems and compiling a list of indicators of risks to national security. Parallel to this, information gathered by the joint patrols mentioned above will form the basis for risk analyses, which will be used to combat illegal immigration, the import of undesirable goods and cross-border crime, as elements in the fight against terrorism.

International cooperation on border control

The EU Border Management Agency (BMA), is responsible for coordinating operational cooperation between member states in overseeing the EU's external borders, specifically the movement of persons.

The BMA's specific focus is the performance of operational tasks, together with day-to-day management and coordination. The agency has, for example, developed what are known as 'focal points' in the member states. These are particular locations that receive special attention in the context of border control. In the future, greater uniformity will be required in

session, Annexe no. 956

the way border controls are carried out within Europe. As part of their border control duties, the Royal Military Constabulary and the Seaport Police are increasingly involved in joint operations on the external borders of EU member states.

The increase in the number of EU member states means that coordinated cooperation is necessary between internal and external partners in the field of security in order to combat illegal immigration, terrorism and organised crime effectively. To this end, supplemental to the Schengen Agreement and the Schengen Convention, the following treaties have also been concluded:

1. Prüm Convention (Schengen III)
2. Treaty between the Netherlands and Germany concerning cross-border police and judicial cooperation in criminal matters
3. Benelux agreement concerning cross-border policing.

One of the effects of these treaties is that the Royal Military Constabulary (KMar) has greater flexibility in performing its duties relating to mobile immigration control on our eastern and southern borders, especially as regards joint patrols. In addition, KMar has been involved in setting up and running a Bundespolizei-KMar Joint Border Coordination Centre (GGC) at Goch/Gennep, which has been in operation since 1 February 2006. The purpose of the centre is to streamline the exchange of information, coordinate handovers on the Dutch-German border, cooperate in the deportation of aliens, coordinate joint patrols in the Dutch-German border area and support the management of mobile immigration control on the border with Germany. There is also intensified cooperation on the Dutch-Belgian border.

CBRN Terrorism

The steering group on Chemical, Biological, Radiological and Nuclear (CBRN) Terrorism began implementing the CBRN Action Plan in the autumn of 2005. The group guides projects aimed at reducing the likelihood of a CBRN attack. Ministries, intelligence and security services, investigative agencies and supervisory bodies work together in the steering group to achieve that goal. The projects concentrate on security of CBRN objects, optimisation of CBRN border controls, focused and accurate communication and the optimisation of CBRN intelligence. One such project is the CBRN terrorism threat assessment compiled jointly by the AIVD and the Military Intelligence and Security Service (MIVD). The projects produce targeted and proportional measures, instruments and knowledge that can be incorporated into the working processes of public and private

¹³ House of Representatives, 2005-2006 session, 30 315, no. 3

organisations, thereby reducing the vulnerability of prospective terrorist targets and tightening of Dutch border defences. The close cooperation between the parties has also helped to raise awareness among organisations that handle high-risk CBRN materials, encouraging them to undertake activities of their own to prevent CBRN terrorism. In 2006 and 2007 these measures, instruments and knowledge will be refined for use by and within the organisations involved, which will then develop their targeted, controlled deployment. Any such activities will be carried out in close cooperation with the CBRN disaster management project coordinated by the Ministry of the Interior and Kingdom Relations.

Review of the system of special units

The House was informed, at an earlier date,¹⁴ that the system of special units would be reviewed with a view to enabling it to meet the challenges of modern terrorist threats more effectively and to ensuring coherence within the system. In the third progress report on counterterrorism we examined the progress made in introducing the new system.

Implementation of the new system continues to progress steadily. Establishment of the new Special Intervention Service (DSI) of the National Police Services Agency has, however, been somewhat delayed and is now expected to be completed in mid-2006. Reasons for this include the fact that discussions of the possibility of long-term funding for the new system were only recently completed and, although such funding has since been found, the necessary amendments have yet to pass into law.

Legislation

Early in 2006 the Council of State published its recommendations and advice on the bill on administrative measures for national security. The final report has since been completed and the bill will be presented to the House shortly. The bill confers on the Minister of the Interior and Kingdom Relations the authority, subject to the agreement of the Minister of Justice, to impose orders restricting the liberties of persons whose conduct indicates that they may be involved in or support terrorist activities. These measures may be exclusion orders (i.e. an order to keep away from a particular area), restraining orders (i.e. an order to keep away from a specified individual) and/or a requirement to report to a police station at certain intervals. In addition, government agencies, both central and local, will be authorised to reject applications or rescind decisions if the conduct of the person concerned indicates that he or she may be involved in or support terrorist activities and if there is a serious danger that granting an application or issuing a decision in that person's favour will in some way aid him or her in engaging in such activities. The progress towards passage of other new

¹⁴ House of Representatives, 2004-2005 session, 29 754, no. 23

legislation can be found in the list of action points.

Criminal law enforcement

In recent months a number of court judgments have been rendered under existing anti-terrorism legislation. For example, on 10 March 2006, Rotterdam District Court reached verdicts in the cases against 14 suspected members of the Hofstad network. Of the fourteen, five were acquitted. The Court found the other nine defendants guilty of membership of a criminal organisation and membership of a terrorist organisation. One of the nine was Mohammed B., regarded by the Court as the founder and leader of the group. No further punishment was imposed on him as he is already serving a life sentence for the murder of Theo van Gogh. Two of the defendants, Jason W. and Ismail A., were also convicted on five counts of attempted murder of members of the Hague police arrest team and for illegal possession of firearms. Jason W. and Ismail A. were sentenced to 15 and 13 years' imprisonment respectively. Another suspect, Nouredin El F., was convicted of illegal possession of firearms as well as membership of criminal and terrorist organisations. He was sentenced to five years' imprisonment. The other five defendants received prison sentences ranging from one to two years. Seven defendants are appealing against their convictions.

On 14 February 2006 Rotterdam District Court sentenced Bilal L. to three years' imprisonment, as requested by the Public Prosecution Service. Bilal L. was found guilty of preparing and encouraging terrorist acts, and recruiting people for the armed struggle. In this case, no notice of appeal was lodged, thus rendering the judgment irreversible.

Research

In recent months major steps have been taken to encourage academic research into terrorism and counterterrorism and to improve the quality of the analyses in this field by the various authorities. Now that the formalities necessary to establish a special professorship have been completed, Leiden University (The Hague campus) can soon start the process of recruiting a suitable candidate. Another way the NCTb is working to improve our understanding of the phenomenon of terrorism and ways of tackling it is by stimulating and supporting external academic research. The Ministry of Justice's Research and Documentation Centre (WODC), for example, is compiling an overview of current counterterrorism policy in the US and the individual countries within the EU. The NCTb is also supporting a comparative study by Utrecht University of counterterrorism in a number of Western countries in the 1970s. Together with other authorities involved in counterterrorism it has also initiated the establishment of an Intelligence Analysis Platform, which has already met on a number of occasions. At these meetings academics and analysts from various

agencies exchange thoughts on methodological issues affecting the analyst's role.

Data management

In partnership with various counterterrorism, crisis management and crime-fighting organisations, the NCTb is working on a variety of data management projects which seek to further develop methods and techniques that can be applied to information systems across the board. Recently, the Improving Security through Information Awareness (VIA) programme was launched, a cooperative venture between the NCTb, AIVD, KLPD and the Dutch Forensic Institute, aimed at improving the technological aspects of the Counterterrorism Information Centre (*CT-infobox*).

The VIA programme has received a contribution from the Economic Structure Enhancing Fund (FES). Both the VIA programme and the parallel development of an NCTb analysis instrument require the use of technologies that can extract accurate information from large quantities of data. As this is one of the main issues affecting data management in this field, a study has been launched to examine better ways of merging government information. In addition to the projects mentioned above, other ongoing work includes modifications to the alert system and the use of smart camera surveillance.

4. Security measures

Counterterrorism Alert System

Two new sectors have been connected to the Alert System in recent months. The municipal and regional transport sector has been connected since 21 December 2005 and the financial sector since 1 May 2006. The NCTb has carried out threat analyses for both sectors, on the basis of which the Minister of Justice has set the alert level at standard.

Exploratory talks have been held with other sectors, with the intention of connecting them to the system in the near future. These include the oil sector, large-scale public venues, public administration and the chemical industry.

A start has been made on expanding the Schiphol and Rotterdam sectors, which are already connected to the system. The aim is to extend the Alert System to regional airports and seaports other than Rotterdam. As far as the seaports are concerned, this can be achieved by linking the Alert System to the system that was set up under the Ports Security Act and to the related security levels of the International Ship and Port Facility Security Code.

The cycle of exercises with the participating sectors is well under way. Following a series of workshops, tabletop exercises are now in progress. Interim results have already led to various changes to the alert process; local-level decision-making about security measures has now become a recognised part of the overall process. The duties, roles and responsibilities of managers and users of the system have now been clearly documented.

A start has also been made on designing a rapid communications system, supported by ICT, for users of the Alert System. Currently, communication between the various points of contact in the public and private sectors is generally by telephone, fax or face-to-face, whereas resources are now available for providing fuller and faster information. Such systems are available 'off-the-shelf' and up till now have been used mainly in the commercial sector. They could be used in the event of a terrorist threat to facilitate the rapid dissemination of information not only to those directly involved ('need to know') but also to the steadily growing group of persons/organisations who are indirectly involved ('nice to know'). Ultimately, this kind of information will breed confidence in the system.

Counterterrorism and the business community

In 2005 both public and private organisations expressed a wish for public-private partnerships to be set up to combat terrorism. A joint process was initiated under the direction of the NCTb.

Collaboration between the private and public sector is aimed primarily at promoting businesses' awareness of terrorist threats and risks. This demands an increase in awareness of threats, vulnerabilities and risks, on the part of both government and the business community. Secondly, public and private parties also want to keep each other better informed about threats, specific or otherwise, and the measures they are taking to cope with them. The intended increase in knowledge could bring about changes in businesses' behaviour, such as increased vigilance to threats and a realisation of the benefits of risk analyses. It is also possible that businesses will start to take practical measures if they find they are at risk.

The collaboration process will be based around three main elements, on the basis of the two goals stated above: increasing businesses' awareness of threats and risks, improving the gathering and dissemination of information, and providing an overview of what can be done. These activities will take place within the current statutory frameworks.

The public-private counterterrorism process is intended for businesses in general. If it becomes apparent as the process is implemented that it is useful (and possible) to distinguish between different industries, this will be done. The process provides for coordination with projects already in progress, such as the Counterterrorism Alert System, the CBRN terrorism project and the project for the protection of vital infrastructure.

Surveillance and protection

In our letter to the House of 10 October 2005, containing an evaluation of the Surveillance and Protection System,¹⁵ we reported on the addition of a number of persons and objects to the 'exhaustive' list. Action on this will soon be completed, the final step being to inform the persons in question and those in charge of the objects by letter about the system and the consequences of inclusion on the list.

We also informed you in the above letter of the desirability of expert support for persons who are under threat and receiving protection. Henceforth a consultation meeting between the person to be protected and an expert will be a permanent element of the procedure. A study is also being undertaken of the effects of being subjected to threats and kept under protection for extended periods.

The changes to the Surveillance and Protection System that were made as a result of the aforementioned evaluation have been set out in a new ministerial circular that will be distributed to the organisations and agencies involved in June 2006. This amended circular also states specifically that the local competent authority may suggest to the Surveillance and Protection Coordinator (CBB) that a threatened person be nominated for inclusion on the exhaustive list. The person responsible for nomination is the public prosecutor, but in practice the decision to nominate will be made in consultation with the other members of the local triumvirate, namely the mayor and chief of police. The national Tripartite Evaluation Committee will make the final decision about inclusion on the exhaustive list.

The specific details of the surveillance and protection policy for the various political party leaders during the 2007 parliamentary elections are currently being worked out. The protection plan used for the 2003 elections will serve as a basis. The Tripartite Evaluation Committee may also decide to take measures to protect a party leader for reasons other than threat or risk, such as social unrest during the election campaign.

¹⁵ House of Representatives, 2005-2006 session, 28 974, no. 5

The possibility of drawing up a security standard as the minimum level of protection for government offices has been investigated. Establishing such standards will make for more clarity as regards protection of government offices and other official premises. The investigation was carried out with the assistance of the Government Buildings Agency, a division of the Ministry of Housing, Spatial Planning and the Environment. A set of instruments has also been developed for testing out protection measures in practice. These will enable the organisations responsible to improve surveillance and protection measures, thereby increasing the effectiveness of security measures as a whole. Neither of these instruments affects the responsibilities of the organisations concerned for implementation and protection; they will be provided to the organisations responsible as recommendations.

5. Responding to crises

Crisis management

In the third progress report we mentioned that an official expert working group had been set up to identify ways of improving crisis response. The working group has now completed its task. Its aim was to enhance crisis response in the Netherlands in the short term, taking account of lessons learned from the London bombings in July 2005. The group took as its starting point a scenario like that in London (or, earlier, in Madrid): multiple simultaneous attacks on public transport. Each of the participating bodies produced proposals for improving or refining their own duties and activities. These touched on the following five categories:

- information management
- coordination and control
- communication
- operational services and
- civil-military cooperation.

At the start of this process we held meetings with the mayors of the four largest cities (G4) and with the management of Dutch Railways and ProRail. The purpose was to secure their cooperation and reach joint agreements. We will be meeting the G4 mayors again in the near future to assure ourselves that the results are of a permanent nature.

The working group identified a range of possible refinements, some 40 in number. Some of them are quite straightforward, while others are more complex. We discuss a number of them briefly below. The working group's activities have generally led to greater contact between the parties, and these more intensive relationships will contribute to better and

more effective preparation of the crisis response.

Procedures are now being developed for rapid evacuation of the railway system. In addition, ProRail is currently piloting a scheme with the GSM R(ail) network to ensure that the disaster management organisation can be contacted if public networks become unavailable due, for example, to overload. It should not be forgotten that, for those parties who do not (or cannot) use C2000 in the event of the failure or overload of the regular fixed and mobile networks, ensuring uninterrupted communication remains one of the problem areas.

Detailed procedures for deployment in the event of an attack have been developed by the emergency services. The particular characteristics of a terrorist crisis, for example the real possibility of a subsequent incident or the need for bomb detection, mean that deployment procedures must differ in some respects from those used in other types of crisis. A terrorist crisis also requires other emergency services – not just the police – to realise that the site of an attack must also be treated as a crime scene. This year, the Netherlands Institute for Fire Service and Disaster Management (Nibra) will be developing a course for the fire service on how to operate at the scene of an attack in such a way as to both provide effective emergency assistance and leave the site sufficiently undisturbed for an effective investigation. Finally, in this context, a National Plan for Coordinating Operations to Manage the Aftermath of a Terrorist Incident is being developed jointly with the operational departments of the G4. The plan, which is almost complete, contains agreements and procedures for the operational services at regional level and arrangements for national coordination.

The events in London have once again shown that the general public can be of enormous value in the immediate aftermath of an attack. Until recently the contribution of the public has been largely ignored because of their supposed lack of professionalism, the fact that they do not act in accordance with agreed quality standards, and the impossibility of monitoring their actions. Based on the findings of earlier studies a brochure on self-reliance has been produced, aimed at increasing the emergency response services' awareness of the potential contribution that members of the public can make. It also contains hints and tips on how bystanders can be used productively in practice.

A ministerial protocol on suspicious objects has been published, which sets out the procedures to be followed when a suspicious object is found. The protocol sets out, for various stages and situations (e.g. reporting the object and raising the alarm, identification, communication between various actors, evacuation, transport, etc.) how the police,

Explosives Disposal Service (EOD) and other relevant parties should proceed. An implementation and communications process has been initiated to support and secure introduction of the protocol by all the parties concerned. Coordinated procedures between government and the railway industry are being developed for dealing with suspicious objects on the railways (e.g. deciding where trains should be stopped).

The local authority in Rotterdam, working with a grant from the Ministry of the Interior and Kingdom Relations, has launched a project aimed at developing measures for security and crisis management on public transport. This includes a risk assessment of critical elements of the public transport system, general procedures for routine action to be taken before and during disasters, and training programmes for public transport staff. The results will be made available to other local authorities and public transport companies via the Association of Netherlands Municipalities (VNG).

Finally, efforts have been made to learn from the way authorities and agencies in London handled the attacks in July 2005. To this end a number of official delegations have travelled to London, while the British embassy in The Hague has organised a conference for representatives of Dutch municipalities, emergency services and other relevant parties to exchange knowledge and experience.

An overview of progress in the area of crisis management within the European Union is given in the section on international developments.

Crisis management in the event of terrorist attack

The complex character of a terrorist crisis or the threat of one also places great demands on crisis management. Specific arrangements must be made, with the terrorist nature of the event being of crucial influence on the response chosen.

The underlying objective of the organisation managing the crisis, as far as counterterrorism is concerned, is to ensure that all the government agencies involved operate effectively during a terrorist crisis. The NCTb plays a central role in this process, as mandated by the legislation creating the position.¹⁶ Coordination in such a crisis involves frustrating and disrupting actual and planned terrorist activity and follow-up activity, providing emergency assistance and aftercare, and tracking down and prosecuting the perpetrators. To achieve this, a large number of measures need to be taken in areas such as surveillance and

¹⁶ Order establishing post of NCTb (*Instellingsregeling Nationaal Coördinator Terrorismebestrijding*)

protection of objects and persons, raising the alert, securing the borders; frustrating, disrupting and stopping terrorist activities; and providing emergency assistance and aftercare.

This means that in the case of a terrorist crisis, or threat of one, a crisis management organisation specifically created for that purpose will come into operation. That organisation will differ in a number of ways from the normal crisis decision-making organisation. It should, however, be emphasised that the existence of this specific crisis management organisation does not alter the division of ministerial accountability between the Minister of Justice and the Minister of the Interior and Kingdom Relations; all it means is that there will be a specific, streamlined, coordinated crisis decision-making organisation at hand in the event of a terrorist crisis or terrorist threat.

The Ministers of Justice and of the Interior and Kingdom Relations concluded agreements on these very issues early this year. The specific arrangements referred to above relate to the positions of chairman and secretary of the Ministerial Policy Team (MBT) and Interministerial Policy Team (IBT), the composition of these two teams, the position and role of the Tripartite Evaluation Committee, the lead role in providing information to the public, and internal government communication via government channels.

The details of these agreements will be included in the revised version of the National Handbook on Decision-Making in Crisis Situations, which is expected this year.

The cartoon controversy

As mentioned in the summary of the DTN, the issue of the Danish cartoons shows that even incidents and issues that appear on the surface to be local can quickly lead to serious global tension between Muslims and non-Muslims and between various Muslim groups themselves. In addition to affecting political interests this can harm economic interests, the interests of embassies and the interests of troops serving abroad. As a similar situation could arise for the Netherlands, the ministries most involved have identified measures that could be taken to prevent escalation and reduce tensions. In that context, the harmonisation of national and international measures is extremely important.

Exercises

Exercises are of crucial importance. On 22 February 2006, an exercise was held on the

(Government Gazette 2005, no. 127)

decision-making process that will be used by the new Special Intervention Service (DSI) which is currently being formed. The exercise yielded a number of valuable pointers for optimising the process. On 21 and 22 June, a fresh exercise will be held involving both the operational aspects of the Service's work and its decision-making process. On 17 May 2006 a counterterrorism exercise was held, focusing on operation of the IBT and MBT. An evaluation of this exercise will be presented to the House by the Minister of the Interior and Kingdom Relations. Elsewhere in this report we discuss exercises related to the Alert System. In addition to these, many other small and large-scale exercises are being held or will be held in the areas of crisis management, disaster management, and counterterrorism. An overview of the exercises can be found in the progress report on the Crisis Management Policy Plan (2004-2007).¹⁷

Civil-military cooperation

In the Spring Memorandum agreement was reached on the funding of the Civil-Military Cooperation Intensification Project (ICMS). The project can concentrate its efforts on working out the details of the Ministry of Defence's structural role as a security partner in national crisis management. The Ministers of Justice and of the Interior and Kingdom Relations provided the House with information about this project.¹⁸ Official ratification is planned for late 2006 in a new interministerial agreement.

6. Communication and the provision of information to the public

Publicity campaign

The information campaign launched on 27 February 2006 – 'The Netherlands Against Terrorism' – is intended to publicise the efforts being made by government and many others to reduce the risk of attacks. In addition, the campaign gives the public information on how they can make their own contribution to these efforts. This campaign is aimed at increasing confidence in the government's counterterrorism policy and generally enhancing society's vigilance and ability to resist terrorism.

The reactions to the campaign from the press and the public so far have been quite positive. The various aspects of the campaign (an information leaflet, the website www.nederlandtegenterrorisme.nl, and radio and television commercials) have not increased

¹⁷ House of Representatives, 2005-2006 session, 29 668, no. 8

¹⁸ House of Representatives, 2005-2006 session, 30 300 X, no. 106

feelings of fear or alarm among the public or led to the stigmatisation of certain segments of the population. The response from minority groups has also been mainly positive. Early interim surveys (after the first few weeks of the campaign) indicate that 'The Netherlands against Terrorism' reached a very wide audience in comparison to similar campaigns in the past – virtually everyone has heard of it or seen something to do with it. In the first few weeks the campaign received an average rating of 6.8 out of 10, comparable to other government campaigns. The information leaflet also reached a wide audience. More than half of the people who remembered the information leaflet had also actually read some or all of it. In addition, half of the people questioned had not thrown the leaflet away but had kept it. One of the survey questions asked to what extent people could remember the exact message of the campaign (i.e. what the government is doing and what people can do themselves). On this point the campaign scored lower than average compared to other government campaigns. The reason for this could be that opinions on the subject are quite polarised. This can be seen in the wide range of answers when the people were asked to what extent the message was relevant to them personally. Twenty-two per cent said that the message was very relevant to them, whilst 18 per cent said it was largely or completely irrelevant to them. Nevertheless even on this point, the overall picture is a positive one: confidence in the government as a guardian of security in the event of terrorist attacks increased during the campaign, particularly in the period immediately after the information leaflet was distributed. Since then the increase in confidence has declined somewhat, but it is still higher than it was during pre-campaign surveys. All in all, these experiences confirm the view that the response to the campaign in the Netherlands has been calm and collected.

In the first phase of the campaign the radio and television commercials were included as part of a series of public service announcements, thus ensuring that the public as a whole would be reached. Using public broadcasting, in combination with the website and the information leaflet, the campaign's message was brought to the attention of as wide an audience as possible. To back up the initial phase, the television commercials will continue into the summer, but this time they will be aimed at specific target groups. Specifically this means they will be scheduled for screening before or after youth-oriented programmes and events like the World Cup. With our partners we are also looking at the possibility of publicity in connection with city and town events, such as summer carnivals. The NCTb is currently working on developing posters – using the familiar style and look of the campaign – with a message tailored specifically to such events. In consultation with the partners, the NCTb is also exploring options for displaying posters of this type in the run-up to such events. A second mass media campaign period is planned for the autumn, once again aimed at the public as a whole. Also, resources produced as part of the public-private partnership will

adopt the style and look, and sometimes the content, of the anti-terrorism campaign.

Finally, the third edition of the Netherlands Government Information Service's (NGIS) study of public opinion and the provision of information on terrorism and counterterrorism is due in early autumn.

7. International developments

European cooperation

EU Strategy and Plan of Action on Combating Terrorism

The European Council of 15 and 16 December 2005 set out an EU Strategy on combating terrorism. The strategy comprises four main objectives: prevention, protection, disruption and response, and dictates how the EU will contribute to achieving these objectives: by maximising capacity, facilitating police and judicial cooperation and cooperation between intelligence and security services, developing joint response capabilities, and encouraging cooperation with third countries. The Strategy is coupled with a plan of action. The Netherlands pushed for a joint strategy that paves the way for the development and further implementation of the numerous initiatives and measures. The Netherlands has always stressed the importance of setting clear priorities, specific objectives and firm deadlines. In our opinion the strategy also helps provide a better understanding of the way the EU operates and the work it is doing in regard to counterterrorism.

An update on implementation of the strategy will be given at the European Council of June 2006. The Commission and the EU Counterterrorism Coordinator are responsible for issuing periodic progress reports to the Permanent Representatives Committee (Coreper) and the European Council. The Strategy also makes allowances for regular high-level dialogue between the Council, Commission and European Parliament. Such dialogue is essential to further strengthen cooperation between the three institutions and further enhance transparency in implementing the EU Plan of Action.

Radicalisation and recruitment

On the basis of the EU Plan of Action a specific strategy and action plan for tackling radicalisation and recruitment were prepared and adopted by the General Affairs and External Relations Council (GAERC) in December 2005. This is a useful addition to the national initiatives that are being developed in a number of member states, including the

Netherlands. In view of the current threat, the plan concentrates primarily on Islamic radicalism. The strategy and the action plan provide for a balanced approach and numerous practical measures, while at the same time taking account of the necessary involvement of Muslim communities. Specific actions suggested relate to the Internet, the training of imams, prisons and educational programmes. One element of the action plan is the development of an EU communication strategy. In spring 2006, the European Commission set up an expert group to support the Commission in developing policy. This group will issue an annual report on trends in radicalisation. The Commission is also organising a conference of media, religious leaders and other experts, where the role of the media in radicalisation will be examined.

The Netherlands welcomes the development of a broad-based strategy and practical measures that tie in with domestic policy. Although the Netherlands endorses the plan's focus on jihad terrorism, in the light of the current threat, the measures in the action plan are, quite rightly, applicable to other terrorist ideologies as well. The Netherlands is eager to ensure a balance between repressive and preventive measures, which must be practical and must be implemented as soon as possible. It is also important to evaluate the strategy and the action plan regularly in the light of trends and developments, and if necessary to come up with additional measures. To that end, cooperation with Europol and the EU Joint Situation Centre (Sitcen) is essential. The Netherlands is also keen to see intra-EU exchange of experience and knowledge gained at the national level. Support for and cooperation with third countries are also essential elements of a broad-based approach to tackling radicalisation and recruiting.

Data Retention Directive

The day after the attacks in London in July 2005 the EU's Justice and Home Affairs Ministers agreed to bring forward the deadlines of a number of legislative proposals regarded as essential to the fight against terrorism. On 1 and 2 December 2005 the Justice and Home Affairs (JHA) Council reached political agreement on a Data Retention Directive for telecommunications data, and the Council of the European Union subsequently adopted the Directive on 21 February 2006.¹⁹ The Minister of Justice informed you of this in a letter of 28 February 2006.²⁰

¹⁹ Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC

²⁰ House of Representatives, 2005-2006 session, 23 490, no. 408

The negotiations on the proposed framework decision on the European Evidence Warrant, another essential element of the fight against terrorism, entered their final phase late in 2005. It is hoped that agreement on the proposed decision can be reached during the Austrian Presidency. The Minister of Justice informed the House about this on 20 March 2006.²¹

Crisis management

The JHA Council of December 2005 agreed a framework which allows cross-pillar measures to be taken, if so desired, in the event of external and internal crises within the EU. The measures in question relate to management of a crisis within the EU and/or a crisis with cross-border implications. They are of a general nature and will be used in all kinds of crises, such as natural disasters, industrial accidents, pandemics, as well as in the event of terrorist attacks. They must be drafted by 1 June 2006. Once they are in place it will be possible to take prompt, effective action and make decisions at both the operational and political level, without interfering with national competences. This will allow effective, cross-pillar coordination of all the parties concerned, in Brussels. Further work on the practical details of the measures will continue during the Austrian Presidency. An EU manual on crisis management is expected to be ready in a few months. The Netherlands directed its efforts to promoting a structure similar to that of the National Coordination Centre, an objective that was largely achieved. Another of the Netherlands' objectives is the creation of a single point of contact for each member state to facilitate more efficient communication. Findings from future EU crisis exercises may lead to amendments to the EU crisis management operational manual.

NATO

NATO will continue its present activities in regard to the exchange of intelligence, development of defence capabilities against terrorist attacks, non-proliferation of weapons of mass destruction and protection of large-scale events. NATO's relationships with its partner countries also play an important role in the fight against terrorism. The counterterrorism action plans agreed in the context of the NATO-Russia Council and Partnership for Peace were mentioned in the second progress report. Since then, implementation of those plans has led to joint exercises and exchange of knowledge and experience relating to counterterrorism, a process that will continue in the future.

²¹ House of Representatives, 2005-2006 session, 23 490, no. 409

Relationships with the partner countries are also important for creating a basis of support for NATO operations and for missions involving NATO countries. Some of the partner countries are also important suppliers of troops for the various operations. This is clearly demonstrated by, for example, Operation Active Endeavour, a NATO operation in which patrols operate in the Mediterranean Sea as part of the counterterrorism effort and ships may be boarded on a voluntary basis. The interest shown by partner countries in participating in this operation is growing. In the second half of 2006 Russia will contribute two ships. Agreements on participation have also been made with Ukraine, and these are currently being refined. In addition, a number of Mediterranean Dialogue countries have shown interest, and discussions on possible participation are currently in progress.

United Nations

As mentioned in the third progress report, the negotiations in the Sixth Committee on the text of the Comprehensive Convention on Terrorism have unfortunately not produced any definite results. The Ad Hoc Group on terrorism also failed to make any progress earlier this year. However, significant progress was made in the development of a Counterterrorism Strategy, based on the 'Madrid speech' by Secretary-General Kofi Annan, in March 2005. The strategy was presented on 1 May 2006. Deputy Secretary-General Bob Orr, Head of the Counterterrorism Task Force (CTTF) that was set up specifically to formulate this strategy, has stated that the emphasis should be on an operational strategy and that discussions on matters of principle, such as definitions, should be avoided. The Netherlands supports this practical approach and hopes that the strategy will be incorporated into a UN General Assembly resolution, or at least that a resolution will be passed welcoming the strategy. In a letter to the Secretary-General on 24 January 2006, the EU stated that the CT Strategy must include, at a bare minimum, respect for international law, human rights and refugee law, support for victims and their families, acknowledgement of the conditions that contribute to the spread of terrorism, prevention of incitement to terrorism and the development of initiatives to promote inter-faith dialogue. As part of its Foreign Policy Support Programme the Netherlands has supported various CTTF activities related to the CT strategy.

Bilateral

The bill for approval of the Treaty between the Netherlands and Germany concerning cross-border police and judicial cooperation in criminal matters has been submitted to parliament for debate. We hope to complete the ratification procedure before the start of the World Cup in June 2006.

Before the Prüm Convention can enter into effect, a number of implementing regulations must be drawn up and agreed and a number of technical measures (such as the creation and modification of databanks) need to be implemented. Also, in view of the large number of countries involved, implementation is likely to be a fairly lengthy process. Although the multilateral working groups set up to manage implementation have already met a number of times, implementation agreements have yet to be made. Whatever happens, the process is expected to last until at least late 2006.

8. Conclusion

In our opinion the fourth progress report on counterterrorism, taken together with the recent memoranda and correspondence referred to in this letter, provides a good overview of the current state of counterterrorism policy in the Netherlands. As the substantial threat facing the Netherlands remains undiminished, the importance of implementing this policy expeditiously will be apparent. The government will continue its efforts to achieve this in the months to come.

The Minister of Justice

The Minister of the Interior and Kingdom
Relations