

National Coordinator for Counterterrorism

To the President of the House of Representatives of the States General
Postbus 20018
2500 EA Den Haag

Unit Policy and Strategy Department
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Re Fifth Progress Report on Counterterrorism

On 7 June 2006, we submitted the fourth Progress Report on Counterterrorism to the House.¹ Now, more than six months later, in the form of this letter, we offer you the fifth Progress Report, which describes the progress made since the start of the year in developing and implementing the various components of counterterrorism policy. It deals in turn with international cooperation, the fight against radicalisation, the creation of an effective organisation and instruments, security measures, preparations for a possible attack and its impact, and communications and public information. The Progress Report begins, as usual, with a summary of the most recent National Terrorist Threat Assessment (DTN). The DTN is updated four times a year by the National Coordinator for Counterterrorism (NCTb), who is responsible for its content.

1. Summary of the National Terrorist Threat Assessment (December 2006)

Threat level

The threat level for the Netherlands is currently substantial, which means there is a real possibility of a terrorist attack. The NCTb has reached this conclusion following an evaluation of the national and international dimensions of the terrorist threat compared to the resistance to it. The threat level is thus unaltered since the previous assessment. There are no specific indications that domestic networks are preparing attacks, but despite growing resistance, ongoing radicalisation and a number of high-risk international developments force us to assume the existence of an unknown threat.

¹ House of Representatives, 2005-2006, 29 754, no. 73

The threat is described in more detail below.

Terrorism

There are no specific indications that known domestic jihadist networks are preparing attacks. The actions of the police and intelligence services have helped ensure that this is the case. But there are other indications of a real threat.

International developments that may also be taking place in the Netherlands have shown that, in choosing their targets, terrorist networks are guided in part by pragmatic considerations such as whether an attack is likely to succeed with the resources and expertise available. A worrying factor is that the level of knowledge needed for making explosives at home has dropped because of the online availability of highly professional manuals for would-be bombers. This aggravates the threat.

In the short term, the threat from homemade explosives is greater than that from non-conventional weapons. This threat is aggravated by the fact that young jihadists radicalised in the West are more reckless and driven by their emotions to carry out attacks spontaneously. The internationalisation of the agendas of local networks, mentioned in earlier Progress Reports, encourages these networks to regard an increasing number of domestic and international incidents as 'key events', which in extreme cases could trigger terrorist activities.

International cases have shown that radicalisation and network formation occur very rapidly. It has recently come to the attention of the authorities that like-minded individuals have no trouble finding each other and preparing terrorist activities in ad hoc groups. Young people need only a few months to create an operational cell or join an existing network. Such processes, which may be taking place in the Netherlands, differ somewhat from the known behaviour patterns of terrorist networks.

Since the arrests in the United Kingdom in August, attention has focused on the possibility that the Al Qaida core is growing in significance. More and more indications suggest that the Al Qaida core has regained its capability to carry out attacks, even in the West, with or without assistance from local networks. Al Qaida elements are believed to be increasing the professionalism of local networks and broadening their agendas, although it is uncertain whether this is taking place in the Netherlands.

Pakistan-based elements with links to the Al Qaida core will continue to have an impact in countries like the United Kingdom, with a Muslim population including many Pakistanis with close ties to the region where the Al Qaida core is in hiding. The United Kingdom also has a higher international profile than the Netherlands. So in this connection, there is no increase in the direct threat to the Netherlands.

As to the possible import of jihadist elements, developments in Morocco give cause for concern. In an area from which many Moroccans living in the Netherlands originate, a large terrorist network has been dismantled. It cannot be ruled out that contacts exist between such Moroccan networks and like-minded individuals in the Netherlands.

Developments on the Pakistan-Afghanistan border are also significant for the Netherlands. The ongoing 'talibanisation' of this area is alarming. For domestic and international authorities alike, this raises concern about the creation of a jihadist infrastructure that could facilitate the flow of jihadists to Europe and other parts of the world. The more attractive the Netherlands becomes as a potential target, the more likely it is that jihadists will come to the Netherlands from the Pakistan-Afghanistan border. But there are no specific indications that a jihadist 'supply line' is currently in place for the Netherlands.

Not only could such jihadists carry out attacks in the Netherlands, they could also increase the effectiveness of known, highly motivated, local networks.

There are signals and rumours suggesting that a major attack organised by the Al Qaida core may be imminent. One rumour initially referred to Europe as a target, but more recent reports seem to be concentrating solely on the USA. Similar signals and rumours have attracted the attention of the Dutch authorities. And intensive media attention to such rumours helps achieve an important terrorist objective: to spread fear.

It is also noteworthy that the Netherlands was mentioned in a speech in September by the Al Qaida core leader Zawahiri, who called the Netherlands one of the 'second-rate crusaders' that the Americans have pushed to the fore in Afghanistan to make up for their own shortcomings. Although his speech does not refer to the Netherlands as a target, some jihadists may well interpret his pronouncement as a call to attack a Dutch target.

The Netherlands' international profile has been relatively low in recent months, but it could rise in jihadist circles owing to a number of developments, including the continuing presence of Dutch troops in Afghanistan, reports of inappropriate interrogation practices by Dutch troops in Iraq, and the debate on banning face-covering garments, which has been widely discussed in the international media. Such developments can directly provoke individuals to become radicalised and carry out attacks. By contrast, other developments, such as the Danish cartoon affair, have a longer incubation period.

The purposes for which jihadists use the internet affect both the known and potential threats. A recently completed study says that jihadists use the internet for three main purposes: spreading propaganda, creating virtual networks and distributing training material. But the study considers it unlikely that an attack will be carried out against the internet itself or against vital sectors using the internet.

Radicalisation

Radicalisation of young Muslims in the Netherlands remains an issue of concern, which exerts a considerable impact on the threat level, despite increasing resistance to radicalisation among the country's Muslims.

Two factors merit special attention. First, the non-violent variety of Salafism is becoming increasingly influential. Salafist youth preachers have been giving lectures in various places outside the Randstad conurbation, leading to Islamic radicalisation there too. Second, 'informal Islamic marriages', noted in earlier Progress Reports, are still taking place, subjecting women to the influence of radical Islamic networks. It appears that some of these women are very young – under 18 in some cases – and most are converts to Islam. It also appears that this form of marriage is more widespread in Muslim circles than was previously assumed.

Polarisation

The risk of polarisation in Dutch society continues undiminished. Issues such as the Pope's pronouncements on the prophet Mohammed, a trade union proposal on Muslim holidays and the public debate on face-covering garments have all shown that the us-and-them mentality between ethnic communities is becoming deeply entrenched.

It is also noteworthy that more violent inter-ethnic incidents have been reported to the police than in the previous reporting period. Reports of incidents related to right-wing extremism often involve violence. The growth of right-wing radicalism on the internet is also worrying.

In addition, there is concern that some Muslim groups in the Netherlands are becoming locked in intolerant isolationism. These groups celebrate intolerant ideas about people who think differently or belong to other religions or none at all. Some advocate parallel social and power structures, which in the long term could weaken social cohesion.

Resistance

Resistance to radicalisation is clearly growing among Muslims in the Netherlands. This is true not only of individuals but also of mosques that actively try to combat radicalisation.

In some cases, members can apparently leave local Islamist networks without fear of reprisals. But on the other hand, the fluid nature of these networks also makes it easy to move from one radical circle to another or to join another local network.

There is cause for concern about resistance to radicalisation within the Turkish community. In-fighting within Milli Görüs could lead to the loss of an important channel for resistance in Turkish circles, since this organisation may adopt a more inward-looking outlook and focus on Turkey. This is all the more worrying given the current pressure on the Turkish community in the Netherlands to acknowledge the Armenian genocide. Any or all of these developments could lead large sections of the Turkish community to distance themselves from Dutch society and thus become more difficult to mobilise against Islamic radicalisation.

This year, the Dutch public has been considerably less worried about terrorism than last year. The annual survey of risk perception and the public's need for information about terrorism shows that 20% of the population is seriously worried about terrorism, compared to 39% a year ago. The result is an indication that the Dutch public is less preoccupied by terrorism and has growing confidence in government policy. But this may be partly due to resignation and familiarisation, which bring the risk of waning vigilance and resistance.

As to specific measures, the investigation of the thwarted attacks in the United Kingdom led to new security measures for air passengers and freight, which were introduced in November.

2. International cooperation

European cooperation

Previous Progress Reports referred to the implementation of the EU strategy and Counterterrorism Action Plan. The EU Counterterrorism Coordinator issues his own progress report on these subjects every six months. The report also describes the progress made towards ratifying the relevant conventions. In the run-up to the meeting of the Justice and Home Affairs (JHA) Council of June 2006, the House received the report for the first six months of 2006.

On 4 and 5 December 2006, the JHA Council discussed the EU Coordinator's progress report on the second half of 2006. The House was informed about this in the run-up to the parliamentary committee meeting with members of the Government.

The report paints a changing picture. On the one hand, it describes positive developments, such as progress in strengthening domestic coordination structures. These structures have been subject to peer evaluation, leading to recommendations, most of which have been implemented by the member states. Progress has also been made on certain legislative trajectories, the recommendations of the Financial Action Task Force (FATF) and anti-radicalisation policy. On the other hand, many measures still have to be carried out. SIS II, VIS and the European Evidence Warrant all need to be finalised soon.

A number of legislative proposals are also being prepared or implemented with a view to combating the funding of terrorism. One important proposal aims to require voluntary organisations to publish their accounts. Combating the funding of terrorism demands a shift in focus to operational cooperation.

The EU has been active globally. This is evident from its support for the efforts of the UN and from its cooperation with third countries including the USA, Russia, Pakistan, Morocco and Algeria.

Despite the progress, there are also sticking points. Measures and policy are not always implemented as they should be. Nor is it always possible to take action within the agreed deadlines, owing to the requirement of unanimity.

The same meeting of the Council discussed the progress of the EU strategy for dealing with radicalisation. It reported movements in the area of knowledge development.

The EU has also started talking about dealing with radicalisation in prisons. In international forums such as the UN and the Council of Europe, it has called for measures to oppose incitement to hatred. And it has made progress in strengthening communications.

Following the arrests in the UK counterterrorism operation in August 2006, the EU member states agreed to boost their efforts to detect liquid explosives, ramp up security at all European airports, protect the vital infrastructure and improve information sharing between member states. The EU also urges the speedy implementation of the EU strategy for tackling radicalisation and recruitment, with a special focus on three areas: home-grown terrorism; the exchange and development of best practices for addressing problems associated with prisons, schools, prayer rooms and places of worship; and the role of the media.

Another major priority for the EU is addressing radicalisation and recruitment on the internet. The member states have agreed to share information about the use of the internet for terrorist and/or jihadist purposes. By combining forces, they aim to improve the quality of the information at their disposal for such purposes as policy development.

The Netherlands welcomes these priorities in the implementation of the EU Action Plan and has indicated that special attention needs to be given to strengthening practical cooperation.

As is clear from the above, EU counterterrorism policy covers a broad range of issues and measures, which are discussed in various forums. The measures are first, second and third-pillar instruments and vary from legislative trajectories to action plans, policymaking and practical measures.

The motion introduced by the former MP Lousewies van der Laan and others² notes that our efforts would be more effective and we would thus be more secure if the chain of command were rationalised and responsibilities were more clearly enumerated. She calls on the Government to continue pushing for European cooperation on counterterrorism to be streamlined.

² House of Representatives, 2005-2006, 29 754, no. 47.

The Government also aims to streamline counterterrorism policy. Current European legislation divides competencies in this area among the three pillars, in line with the existing structure of the EU. But the Netherlands is urging its fellow member states to coordinate and streamline their activities, with the various forums informing each other on progress and measures to improve effectiveness. In December 2005, the EU adopted its strategy on counterterrorism, which sets out clear objectives, commitments and priorities. The strategy now includes a clear overview of the structure of decision-making, the responsibilities involved and coordination mechanisms. The Government attaches great importance to cross-pillar coordination in order to implement policy as effectively as possible.

United Nations

The UN has made good progress in developing a counterterrorism strategy, the main principles of which were outlined by UN Secretary-General Kofi Annan in a speech in Madrid on March 2005. The UN presented the strategy on 1 May 2006. Deputy Secretary-General Bob Orr, who heads the Counter Terrorism Implementation Task Force (CTITF) charged with devising the strategy, has managed to maintain its operational nature while avoiding discussions about basic matters of principle such as definitions. The Netherlands supports this practical approach.

On 20 September 2006, the UN General Assembly adopted the strategy in a consensus resolution, later supplemented by recommendations for a global counterterrorism strategy in the form of an action plan. The recommendations have preserved all the elements contained in a letter from the EU to Secretary-General Annan of 24 January 2006, namely: respect for international law, human rights and refugee law; support for victims and their families; attention to the conditions that contribute to the spread of terrorism; the prevention of incitement to terrorism; and the development of initiatives to promote interfaith dialogue.

It is now up to the UN as a whole and its individual member states to start implementing the action plan. In two years, the action plan will be evaluated. The Netherlands will implement any important new elements it may contain. The Netherlands will also work to improve the 'delisting' procedure for removing individuals and organisations from UN sanctions lists. The Netherlands supports various activities of the UN Counter-Terrorism Implementation Task Force (CTITF), which brings together stakeholders from business, academia, civil society and government to ensure that biotechnology is not used for terrorist purposes.

NATO

The NATO summit in Riga reaffirmed counterterrorism as a permanent item on the organisation's agenda. Heads of state and government expressed their support for existing programmes in the field of intelligence exchange, capacity building against terrorist attacks (Defence Against Terrorism – DAT), the deproliferation of weapons of mass destruction, event security and cooperation with partner countries. They also approved additional activities in these areas.

NATO has recently been working to develop DAT's practical capabilities, such as technologies to prevent suicide attacks with homemade explosives and to protect against anti-aircraft rocket attacks. Another recent development is closer cooperation to protect against the terrorist use of chemical, biological, radiological or nuclear weapons. In October 2006, a joint NATO-Russian exercise was held to test the response to an impact of an attack with a 'dirty' (radiological) bomb.

Several partner countries are involved in the NATO operations. Russia, for instance, is contributing two vessels to Operation Active Endeavour, which patrols the Mediterranean Sea in the fight against terrorism and boards vessels on a voluntary basis.

Finally, NATO intends to use public diplomacy to spotlight its role in fighting terrorism.

Other forms of international cooperation

The Netherlands provides technical assistance to individual countries both bilaterally and multilaterally. To strengthen its efforts, it is consulting with a number of North African countries, with which it will cooperate in areas including legislation, security measures and information exchange. Their cooperative agenda also includes the exchange of knowledge about radicalisation and strategies to prevent it.

Another Dutch priority is support for regional and subregional counterterrorism centres. As well as providing technical assistance, the Netherlands shares knowledge, expertise and best practices with many countries in Europe and beyond, mostly on a bilateral basis. Knowledge is exchanged in all areas relevant to counterterrorism. The sharing of best practices prompts continuous reassessment of our own policy in the light of that of other

countries. And other countries benefit from Dutch experience, as described in several published guidelines.

3. Combating polarisation and radicalisation

The Government has invested nationally and locally in gathering knowledge on radicalisation and radicalisation processes. It continues to combat radicalisation with undiminished vigour and, partly thanks to information obtained from investigations and information analysis, is even more focused on the current situation. It has gained a better understanding of why, how and where young people become radicalised.

At the behest of the Ministry of Justice, the University of Amsterdam has carried out a qualitative study of the background and dynamics of the political choices of young Muslims.³ This study shows that to combat radicalisation, it is important to strengthen young Muslims' commitment to the democratic legal order and Dutch society. It also shows the importance of a positive self-image and effective anti-discrimination policy. The study is described in the Interim Report on Resistance and Integration Policy,⁴ submitted to the House by the Minister for Immigration and Integration in August 2006. The report discussed the progress of the integration programmes to prevent radicalisation.

Policy

Experience in municipalities and warnings from the AIVD indicate that democracy and the rule of law are threatened by more than radicalisation processes explicitly related to terrorism. Manifestations of polarisation – such as frustration about the multicultural society, growing indifference and aversion to certain population groups, the rejection of core values, discrimination, interethnic conflicts – whether or not accompanied by violence or calls to violence – are as dangerous to social cohesion, public safety and an open society as extreme forms of radicalisation.

³ F. Buijs, F. Dermant, A. Hamdy, *Strijders van eigen bodem* ('Home-grown warriors'), IMES, Amsterdam University Press, 2006.

⁴ House of Representatives, 2005-2006, 29 754, no. 74.

It is becoming ever clearer that the most effective way to combat these phenomena is a broad approach to the problems.⁵ This means dealing with polarisation and the radicalisation of certain individuals or social groups in multiple policy areas strategically and in a coordinated way. A successful approach involves activities in several policy areas. These activities are not all explicitly aimed at combating polarisation directly, but they can help do so by eliminating possible causes. Developing educational programmes that focus on good citizenship, for instance, and combating discrimination in the labour market are also important means of dealing with polarisation and radicalisation. The long-term dangers of polarisation and radicalisation are too serious to ignore. We need a nationwide coordinated approach to the problem. Several ministries are currently working to identify and deal with polarisation and radicalisation in various ways. These include devising area-specific strategies, activating and supporting professionals (police officers, teachers, youth workers, staff of the Centre for Work and Income, etc.), encouraging municipalities, combining knowledge and making knowledge accessible. In first half of 2007, the House will receive a more detailed report on this approach.

Local approach

We have continued the policy of informing municipalities about radicalisation and encouraging them to develop locally appropriate policy to deal with it. A general information afternoon was organised, for instance, for mayors of municipalities where radical preachers are active and radicalisation has been observed. More municipalities are taking the initiative to assess the local situation and develop policy. In the municipality of Tilburg⁶ and in the Breda region,⁷ exploratory studies have been conducted of radicalisation and polarisation, and the municipality of Amsterdam has commissioned a study of why some Amsterdam Muslims become radicalised.⁸

⁵ House of Representatives, 2004-2005 session, 29754, nos. 4, 26, 27 and 30.

⁶ COT (Institute for Security and Crisis Management), *Verkennd onderzoek naar radicalisering in Tilburg*, April 2006.

⁷ COT, *Tussen feiten, beelden en gevoelens: verslag van een verkennd onderzoek naar polarisatie en radicalisering in zes gemeenten in het politiedistrict Breda*, October 2006.

⁸ M. Slotman and J. Tillie, *Processen van radicalisering: waarom sommige Amsterdamse moslims radicaal worden*, IMES, September 2006.

Central government will continue to support the local approach to polarisation and radicalisation. A set of guidelines for municipalities, for instance, focuses on dealing with the warning signs and managing information. The guidelines will be distributed by the Centre for Crime Prevention and Public Safety.

Dealing with hotbeds of radicalism

To deal with the relatively small number of organisations designated 'hotbeds of radicalisation', we have adopted a hotbed-centred approach, using the existing powers and instruments of central and local authorities in a coordinated way. For operational reasons, we cannot currently name the organisations in question or discuss the measures being taken.

At an earlier stage, all the information gathered by the various authorities on hotbeds of radicalisation was collected and incorporated into multidisciplinary analyses. These analyses are currently being updated. We are also looking at the impact of the approach so far. In early 2007, drawing on these analyses, we will look at the extent to which it will be necessary or desirable to continue the hotbed-centred approach and if so, what modifications may be necessary.

To address the spread of Salafism to other centres in the Netherlands (noted in the previous Progress Report), new policies are being put into effect. An attempt is being made to prevent the growth of new hotbeds of radicalisation.

Dealing with the use of the internet and satellite broadcasting stations for radical and terrorist purposes

In the first half of this year, several projects were launched to make the police, public prosecutors and intelligence services better able to fight cybercrime in all its forms. Projects were set up to obtain a clearer idea of the problems and optimise the existing approach.

Recently, for instance, the NCTb carried out a study of the various ways jihadists use the internet. The findings are being used to develop measures and identify new themes for closer investigation. The results of the study will soon be submitted to the House.

Pilot projects are also being carried out to monitor the internet. Their results make it clear how these activities can be implemented structurally and systematically.

Next year, we will invest in publicising the Cybercrime hotline and making it easier to find. An updated internet site, a more user-friendly reporting form and other communications activities will be implemented to help the hotline generate more relevant reports of radical and terrorist content on the internet.

In the European context, tackling the use of the internet for radical and terrorist purposes is part of the EU strategy for dealing with radicalisation and recruitment. Germany, in its capacity as the next holder of the EU presidency, recently took the lead in this area. Its Check the Web proposal aims to intensify European cooperation by sharing information about trends and the use of the internet for terrorist and/or jihadist purposes. The idea is to combine forces to improve the quality of intelligence for all member states to the benefit of policymaking. The Netherlands favours such cooperation if the information obtained is used to deal with radicalisation.

As announced in the previous Progress Report, radical and terrorist content disseminated by satellite broadcasters will be dealt with in an amendment to the Media Act, which is currently being prepared.

Radicalisation and recruitment in prisons

Prisons can be vulnerable to radicalisation and recruitment. As stated earlier, we have therefore decided to concentrate certain detainees in a limited number of prisons. These detainees include those suspected or convicted of terrorist offences and those who have expressed or spread radical messages. Before deciding on this course of action, we carefully weighed up the advantages and disadvantages of doing so. In an advisory report, the Central Council for the Application of Criminal Law and Youth Protection (RSJ) disagreed with the Government's view. On 7 December 2006, the Minister of Justice sent an extensive response to the RSJ's advisory report.

On 18 September 2006, the first wing dedicated to this group of detainees was opened at Vught prison. This wing has 18 cells. In the first half of 2007, a second wing with 14 cells will be put into use at Rijnmond prison. In these prison wings, regimens will vary from person to person. Prisoners will be constantly monitored to determine what activities they may perform together or individually. The decision to design personalised regimens for these detainees is separate from the decision to concentrate them in a single wing.

Since this is a relatively new and unknown phenomenon in the Dutch prisons, the operation of these prison wings are constantly monitored.

4. Effective organisation and instruments

Action Plan for Border Controls

On 3 February 2006, the Government submitted an Action Plan for Border Controls to the House containing a number of measures intended to improve border security.⁹ Work on implementing them started recently.

Since 1 March 2006, the Royal Military and Border Police (KMar), the Seaport Police (ZHP) and the Customs Authority have been carrying out a pilot project to jointly patrol small ports, small airfields and areas along the coast where regular controls do not take place. They have been working closely with the Coastguard.

In addition, a number of measures have recently been carried out to help improve border controls by taking account of risks and threats. Joint lists of indicators, for instance, have been drawn up for various branches of the transport industry.

Border control services have recently improved communication by creating contact points. In addition, the border control services have reviewed their information requirements and established a procedure for exchanging information.

A number of measures from the plan, including legislative amendments, still require further development. The first progress report on the Action Plan for Border Controls was submitted to the House on 4 December 2006.

International cooperation on border controls

The EU agency FRONTEX is responsible for coordinating operational cooperation between the member states in managing the movement of persons across the EU's external borders. It helps the member states train national border guards, carries out risk analyses and assists

⁹ House of Representatives, 2005-2006, 30315 no. 3

the member states in situations requiring extra technical and operational assistance. In the future, European border controls will gradually have to move towards greater uniformity. The Dutch border control services are increasingly involved in joint operations on the EU's external borders. KMar recently took part in a joint operation on the Canary Islands, coordinated by FRONTEX.

CBRN terrorism

Several ministries, the intelligence and security services, research institutes and supervisory agencies have been working together on a number of projects to reduce the possibility of a chemical, biological, radiological, or nuclear (CBRN) attack. These projects aim to improve security at potential CBRN targets, enhance CBRN border controls, make communications more specific and precise and optimise CBRN intelligence.

Another new project aims to improve security surrounding raw materials essential for making explosives at home. Given the knowledge and expertise required, it is logical that this project is being carried out within the CBRN project structure. All the projects mentioned are confidential.

The projects will yield specific and proportional measures, instruments and knowledge, intended to occupy a permanent place in the methods of government and non-governmental organisations. They will make both potential terrorist targets and the Dutch borders more resistant to attack. Close cooperation between the parties will also increase awareness among companies that manufacture or use high-risk CBRN chemical agents of their own responsibility for preventing CBRN terrorism.

In 2007, more will be done to adopt products and measures developed in the projects. We are currently looking into launching new projects to bolster resistance to CBRN terrorism.

All the activities carried out will require close coordination with the CBRN disaster prevention system, which is coordinated by the Ministry of the Interior and Kingdom Relations.

Review of the system of special units

The House was previously informed that the system of special units would be subjected to an evaluation in order to ensure an effective and coherent response to the current terrorist

threat. On 1 July 2006, the new system came into effect and the new Special Intervention Service (DSI) of the National Police Services Agency started operations. The new system will be refined where necessary if new developments and knowledge give reason for doing so. Alterations to the system will be in the hands of the Consultative Body for Coordinating the System of Special Units, the body in charge of advising the competent ministers on policy and management aspects of the special units system. The new system will be evaluated in early 2008.

Legislation

On 14 November 2006, the Senate approved the bill to extend powers for investigating terrorist offences and prosecuting suspected terrorists and the bill for parliamentary approval of the European Convention on recognition of international NGOs. Under this Convention, any organisation on a Dutch terrorism list should be considered banned and thus barred from performing legal acts. As a consequence of this, it is an offence to take part in any continuation of their activities.

Criminal law enforcement

On 1 December 2006, Rotterdam Crown Court pronounced sentence in the 'Piranha' trial. Five of the six defendants were found guilty; the sixth was acquitted. Four accused persons were convicted of taking part in preparations for a terrorist attack. They included Samir Azzouz, who was given an eight-year prison sentence. The sentences of the three other accused varied from three to four years. One was given three months in prison for providing a forged travel document on the basis of false information. The court considered the existence of a terrorist organisation unproved.

The court also ruled on the claim for damages filed by the ex-defendants in the Arles case. As in an earlier claim for damages by an ex-terrorist suspect, the court decided on a much higher payout than would normally be the case. The Public Prosecution Service appealed in both cases. The award of damages throws another light on the need to draw up an overall system for paying damages to ex-terrorist suspects, as requested by the motion submitted by MP Frans Weekers and others. The system needs to take account of the risk that money paid could be used to support terrorist activities. Any legislation will have to make provisions for this possibility.

Information management

In the previous Progress Report, we mentioned the Improving Security via Information Awareness (VIA) programme, which consists of three projects. The Models for Knowledge Development and the Pattern Recognition projects are studying what technologies and models work best in the area of security and counterterrorism. The third project, Improving the Counterterrorism Information Centre, aims to enhance the process of storing, processing and analysing data, both quantitatively and qualitatively. The projects, which have now begun, are being carried out by the KLPD, the Netherlands Forensic Institute (NFI) and the AIVD, respectively. The NCTb is coordinating the programme.

5. Security measures

Counterterrorism Alert System

The Counterterrorism Alert System is being developed and expanded according to plan. Within the nine sectors, more than 50 companies are connected to the Counterterrorism Alert System, and six ministries and their crisis and coordination centres have been prepared to carry out alerts rapidly and appropriately. In addition, the process steps have been set out and the implementation plans drawn up so that government bodies and businesses will be prepared for any increase in the alert level. This is true nationally and increasingly regionally.

Preparations are under way to connect three sectors to the system: chemicals, oil and events. In addition, the Schiphol airport and Rotterdam seaport sectors will now fall under the expanded categories of 'airports' and 'seaports', thereby increasing the coverage given to these sectors. Exploratory talks have also been held with international hotel chains. The plan to connect the public administration sector, announced in the previous Progress Report, has been dropped because the objects in question fall entirely within the scope of the national Surveillance and Protection System. Specific threats to objects within this sector are being analysed within that system.

An important success factor in devising effective measures to protect threatened sectors is the ability to rapidly synthesise knowledge and intelligence and communicate this information to all organisations concerned. Local cooperation is of vital importance to the alert system because locally competent authorities are formally in charge of the implementation of government measures. Within the growing network of organisations connected to the system, it is therefore important for company security managers, police officials and

municipal civil servants to know each other, to know where to find each other and to know what to expect from each other. To move closer to this goal, a survey was carried out in each sector connected to identify the most important locations to be protected. Then, the relevant contacts at implementation level met to make specific working arrangements. These meetings took place in Groningen, The Hague, Eindhoven, Arnhem and Middelburg, and they were well received. A second series of meetings is now being prepared.

For the alert system to function properly, regular drills and exercises are necessary. The second series of exercises – concerned with decision-making – has been completed and evaluated. Participants included the NCTb, KMar, fifteen police forces, ten municipalities, five ministries, seventeen businesses and two trade associations. The exercises aimed to realistically simulate the main steps in the alert system's primary process. The participants were generally positive about the exercise. The alert system has clearly added value to the sectoral response to terrorist threats. Areas for improvement are being discussed in consultations between government and the private sector. Preparations have begun for two operational exercises expected to take place in the spring of 2007.

A recent study examined legal questions relating to the alert system. For the cohesion of the alert system, it is important to ask whether the measures associated with a given alert level can be made obligatory by the government if the sector itself fails to take action.

Depending on the sector concerned, various bodies are competent. Not all measures have an explicit basis in law. If the mayor, the public prosecutor, the police force, or KMar are competent to take measures, it is usually possible for central government to instruct or compel them to use their powers. In other cases, the line ministers concerned have specific powers (for instance, in the nuclear sector). But central government has less influence in other sectors, such as the railways and energy. More thought will be given to whether this system of competences needs to be modified. For some sectors, the implementation of certain measures still depends on the cooperation of the actors concerned.

Since the measures associated with the alert system came about in consultation with the sectors, the government can in principle assume that the sectors are willing to take the agreed measures appropriate to the alert level announced. In addition, prior to any increase in the alert level, the private companies involved are consulted directly to ensure that any measures taken are commensurate with the nature of the threat. It should be borne in mind that tighter security in response to a serious threat observed by the intelligence services is

ultimately in the interests of the private sector itself. In any case, in real emergencies, use can be made of special powers to take the security measures most appropriate for each sector. The alert system is intended mainly for situations that are threatening but not serious enough to declare a state of emergency.

This means that the measures appropriate to the alert level declared by the Minister of Justice will not come as a surprise to the operational actors concerned because they will already have been involved in the decision-making process at various points before the level was raised. In conclusion, it can be stated that the current system, which is based on agreements and mutual trust between public and private services, currently offers a sound framework for devising appropriate measures when threat levels rise.

Counterterrorism and the private sector

In 2006, a start was made on improving public-private cooperation on counterterrorism. This programme is based on three main principles: raising awareness among businesses of the terrorist threat, improving the collection and sharing of information between businesses and government and improving the private sector's ability to take action. The programme provides for harmonisation with existing procedures, such as the Counterterrorism Alert System, the CBRN terrorism project and the project to protect vital infrastructure.

On 5 December 2006, we submitted the booklet and guide *Wat kan uw bedrijf ondernemen tegen terrorisme?* ("What can your business do about terrorism?") to the House. On 29 November 2006, the Minister of the Interior and Kingdom Relations distributed the booklet to the chairs of MKB-Nederland (the federation of small and medium-sized businesses) and the Chamber of Commerce. The booklet and guide were drawn up in cooperation with the private sector. The guide describes terrorist threats and counterterrorism policy, explaining how businesses can modify their existing security policy. For this purpose, it includes a checklist. The booklet and guide are intended for all businesses, whatever their size. Whether large or small, companies need to know how they may be vulnerable to terrorist threats or attacks.

On 29 November 2006, the website www.nederlandtegenterrorisme.nl/bedrijven was relaunched with extensive up-to-date information for businesses. Other activities are also taking place to inform businesses what they can do, with government assistance, to reduce the risk of a terrorist threat or attack. Since 1 November 2006, the public information campaign *The Netherlands against Terrorism* has been broadcasting an updated television

advertisement, which focuses on what part businesses can play in the fight against terrorism. Businesses have been informed about the guide, the booklet and the relaunched website by means of a card inserted in various trade and industry periodicals. A number of questions are posed to urge businesses to visit the website or apply for the guide and booklet. Finally, several of these periodicals are devoting space to the subject and various economic sectors are holding meetings to discuss future courses of action.

Surveillance and protection

In the letter to the House of 10 October 2005, containing an evaluation of the Surveillance and Protection System, we reported the addition of a number of persons and properties to the 'comprehensive list'. The list has now been lengthened and the persons concerned have been informed by letter. These and other changes arising from the evaluation are being incorporated into the new surveillance and protection circular, expected to come into effect at the beginning of 2007. A policy framework based on recent experience has been developed to ensure greater clarity in the security policy for members of the Government.

Now that the Surveillance and Protection System has been embedded in the structures of the NCTb, the tripartite consultation has become superfluous. Under our joint responsibility and in accordance with our separate ministerial powers, the NCTb has been authorised to make decisions on surveillance and protection to prevent terrorist and other attacks. This division of responsibilities with respect to surveillance and protection is evident from the position of the NCTb, who is answerable to both of us. For this reason it was decided to disband the tripartite consultation and let the NCTb in future decide independently on surveillance and protection issues. The system of Surveillance and Protection Coordination Consultations (ABB) and Implementation Consultations (UO) remains unaltered, like the distinct ministerial responsibilities for surveillance and protection.

The surveillance and protection of persons, property and services is also a policy field subject to constant deliberations that are not exhaustive and cannot be captured in rules and procedures. In the case of strategic issues, politically sensitive matters and complicated questions involving groups of individuals or properties, it is essential that information be communicated effectively to the Director-General for Public Safety and Security at the Ministry of the Interior and Kingdom Relations and the Director-General for Administration of Justice and Law Enforcement at the Ministry of Justice.

For this purpose, we have established a Consultative Body on Surveillance and Protection Policy (BoBB). The BoBB is consultative and informative. It exchanges ideas, attitudes and opinions about strategic and politically sensitive questions. The BoBB's permanent participants are the NCTb (chair), the Director-General for Public Safety and Security, the Director-General for Administration of Justice and Law Enforcement, and the Surveillance and Protection Coordinator. The participants are consulted in their capacity as advisors about the measures that have been taken or are considered necessary. As chair, the NCTb is charged with making decisions.

When the BoBB discusses issues affecting the interests of the Ministry of Foreign Affairs and the Ministry of Defence, representatives of both ministries are invited. The Director of Security of the AIVD and the Head of the National Criminal Intelligence Department of the KLPD may in future take part in the meetings as experts. Their role will be limited to explaining the threat assessment in order to improve the quality of information. It should be pointed out that their explanations will not commit them to a certain level of security measures.

The new constellation complies with the recommendations of the fact-finding committee on the security and protection of Pim Fortuyn (the Van den Haak committee). The information and the measures converge at the NCTb, which then makes recommendations and decisions. We are also working on fixed definitions for threat reports and analyses. In addition, threats and risks are evaluated, measures adopted and their implementation overseen under the mandated responsibility of a single official.

Protecting civilian aviation

The arrests in the United Kingdom on 9 and 10 August 2006 revealed terrorist methods that necessitate new security measures at airports. The new security measures introduced on 6 November 2006 at all airports in the European Union ensure that the risk posed by liquid explosives has been reduced to an acceptable level. The measures came about in close cooperation with the aviation sector and represent a good balance between security and economic interests. Close coordination has also taken place between the EU and the US, leading to harmonised measures.

In essence, the new measures allow passengers to take certain volumes of liquid substances on board, but only if carried separately. A container may hold no more than 100

millilitres. If a passenger takes more than one liquid container on board, he or she has to submit each one separately for inspection in resealable transparent plastic bags, with a volume no greater than one litre. Each passenger may take a single plastic bag on board. There are exceptions to this rule, for baby food, medication, etc. In cooperation with the airports and KLM, the NCTb publicised the new rules to make the transition to the new regime as smooth as possible.

On 8 June 2006, the House held consultations with members of the Government to discuss the implementation of the recommendations of the committee established to investigate access security at Schiphol. At the meeting, it was promised that the next report on the progress of the implementation of the recommendations be submitted to the House in mid-2007.

6. Responding to crises

Crisis management following a terrorist attack

In the previous Progress Report, we said that specific arrangements had been made for managing an imminent terrorist crisis, enabling all the government bodies concerned to operate optimally. The main principles of these arrangements are incorporated into the revised National Handbook for Decision-Making in Crisis Situations, and detailed agreements are currently being fleshed out by the NCTb and various government bodies.

The cartoon affair

The events following the publication of the Danish cartoons taught us all that seemingly insignificant publications or utterances can provoke emotional or even violent responses. Some responses arise from the genuine indignation that arises from insufficient knowledge or understanding of another's position. But such utterances also can be seized upon by radical and terrorist organisations to mobilise Muslims in the Arab world or Europe against the West. Their aim is to widen the gap between Muslims and non-Muslims, accelerate radicalisation and incite local groups to action. For these reasons, a number of preparations have been initiated in the area of communications, and organisational arrangements have been made to prevent such controversies from developing into serious incidents.

Exercises

It is very important to practise counterterrorism processes and procedures. Following the reorganisation of the system of special units, a major exercise was held in the Rotterdam region on 21 and 22 June 2006, practising both the operational deployment of the new units and the revised administrative decision-making procedure. The exercise's participants were drawn from the Ministry of Justice, Rotterdam Rijnmond police force, the KLPD, the municipality of Rotterdam, the national office of the Public Prosecution Service, the public prosecutor's office at Rotterdam district court, the National Public Prosecutors' Office, KMar, other units of the armed forces and the NCTb. An evaluation of this exercise was submitted to the Minister of Justice and the Minister of the Interior and Kingdom Relations. In 2007, two exercises of this type will be organised.

Regionally, too, small and large-scale exercises are regularly held in the area of crisis management, disaster management and counterterrorism. On 18 October, for instance, a major disaster exercise was held in and around Utrecht Central Station.

Exercises involving the Counterterrorism Alert System are discussed elsewhere in this report.

7. Communications and public information

2006 opinion poll

In the summer of 2006, another opinion poll was carried out to measure the public's risk perception and need for information about terrorism and counterterrorism. This was the third in a series of annual opinion polls carried out since 2004 under supervision of the Netherlands Government Information Service. The poll aims to track public opinion about terrorism, in order to facilitate comparisons and identify possible trends.

The poll shows that confidence in the government's ability to combat terrorism grew from 27% in 2005 to 40% in 2006. During that same time, Dutch concern about terrorism fell. In August 2005, 39% of those questioned spontaneously mentioned 'terrorism' as a primary concern; now, only 20% do so. The general need for information about terrorism and counterterrorism also shrank, from 29% in 2006 to 41% in 2005. But the proportion of people who say that they need information from the government on this subject is still high: 50% want as much information as they now receive, while 30% want even more. It is clear that

there is an ongoing need for government information on this subject. Trust in the information received is approximately the same as last year, around 40%.

This year, the poll included an initial exploration of perceptions about radicalisation, which shows that people see radicalisation as a threat arising mainly from right-wing political groups and Islamic groups. Eighty per cent of the respondents agree with the proposition that Dutch society is being divided by radicalisation. Seventy-three per cent subscribe to the proposition that radicalisation makes society unsafe, and the same percentage agrees with the position that Islamic fundamentalism is a form of radicalisation. A majority of respondents (65%) agree that radicalisation leads to terrorism, and 71% feel that the prevention of radicalisation is an effective means of preventing terrorism. But 33% of respondents say that radicalisation cannot be prevented. Many respondents say that radical groups should also enjoy freedom of expression (31%) and that they can understand why people become radicalised (24%). A quarter of the Dutch say that the threat posed by radicalisation in the Netherlands is exaggerated. Approximately a third of the Dutch find that this is not the case. Opinions on this subject seem strongly divided.

Publicity campaign

The publicity campaign The Netherlands against Terrorism, which began in February 2006, is expected to run for three years. Since its launch, the focus has been on what the Government is doing to combat terrorism. The campaign was launched with television, radio and print advertisements, door-to-door leaflets and a campaign website. The first stage of the campaign was successful in attracting public attention. The campaign has already had a noticeable effect. The leaflet seems to have made an important contribution. The public has a better sense of what is being done to reduce the chance of an attack, and they have more faith in the government as a protector of security.

The concept of 'the Netherlands (its government and citizens) against terrorism' is widely recognised. A 2006 opinion poll shows a number of specific positive effects of the first stage of the campaign. Knowledge about what people can do to prevent terrorist attacks themselves has grown (50% say they know what to look out for, as opposed to 38% in 2005). But they do not perceive it as helping to reduce the possibility of a terrorist attack. They mainly look out for luggage, bags and packages left behind without visible owners (54%). In addition, they look out for persons behaving strangely or nervously (44%), persons who are

conspicuous or suspicious-looking (16%), suspect packages (14%) and objects left behind in stations, shops and public buildings (16%).

In the summer of 2006, additional attention was focused on how ordinary people can help reduce the chance on a terrorist attack. The local campaigns in the municipalities of Amsterdam, Rotterdam, Utrecht and The Hague made an important contribution to this aim.

In the autumn of 2006, the national campaign received a boost with new television and radio advertisements, posters at railway stations, free postcards and stickers in places of entertainment, advertisements in national newspapers and posters in schools. Extra attention was also paid to the campaign's impact on specific target groups, such as business owners, young people, students and teachers. Terrorism is also incorporated into the new Think Ahead disaster campaign, designed by the Ministry of the Interior and Kingdom Relations, which began in late September. Information about 'what to do if an attack takes place' was included in this campaign as one of the five categories of disaster (the others are fire, flood, breakdown of public utilities and the release of hazardous substances). The scheduling and content of the Netherlands against Terrorism and Think Ahead campaigns were agreed in consultations.

In 2007, the campaign will again be carried out or supported by all the partners (NCTb, G4¹⁰, Dutch Railways and Schiphol airport). In this new stage, the objective will be to consolidate – and wherever possible strengthen – trust in the government in relation to counterterrorism. Specific attention is being devoted to young people. A target-group-specific approach to young people (15-30 years) was recently launched in the form of an essay competition and class debates on radicalisation.

Minister of Justice

Minister of the Interior and Kingdom Relations

¹⁰ The four largest municipalities (Amsterdam, Rotterdam, The Hague, Utrecht)