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Please quote the date and reference from our letter when replying. Kindly also confine your reply to one topic.

In June 2008 the Lower House received the Eighth Progress Report on Counterterrorism¹. With this letter please find enclosed the Ninth Progress Report, which discusses the progress achieved during the past six months in developing and implementing various elements of the policy on counterterrorism. In sequence, we deal with the following elements: combating radicalisation, international collaboration, the creation of effective tools and structures, the implementation of security measures, preparations for (the consequences of) a possible attack, and communication and information.

As is customary, the progress report starts with a summary of the most recent Terrorist Threat Assessment Netherlands (DTN). The DTN is prepared four times each year by the National Coordinator for Counterterrorism (NCTb), and falls under his responsibility. A list of action points is appended to the Progress Report.

1. Summary of the Terrorism Threat Assessment Netherlands, November 2008

The Netherlands, and its foreign interests, is still viewed by jihadist networks operating on an international basis as one of their preferred targets. The film 'Fitna', regarded by jihadists as an insult and provocation, is still the most significant justification for this attitude.

In this context, developments in the recent past illustrate that jihadists have been placing greater emphasis in their international propaganda on attacking Western targets than they were doing at the time of DTN 14. This is partly due to the fact that the jihadists have suffered a considerable loss of sympathy among the wider Islamic circles as well as among their own ranks, through their attacks on targets in Islamic

¹ Lower House of Parliament, session year 2007-2008, 29,754, no. 131.

countries in which many civilian fatalities occurred.

We expect the Netherlands to continue to be a focus for jihadists for some time to come. This also includes a specific focus by jihadists on individuals whom they regard as being responsible for 'insulting' Islam.

The kidnapping (or attempted kidnapping), in recent times, of several citizens of Western countries in Pakistan has given rise to a situation in which, alongside the well-established threat against Western diplomatic representations in Pakistan and Afghanistan – we must (once again) take into account the threat of kidnap attempts on Western diplomats. These developments mean that the threat level remains *substantial*, meaning that there is a real prospect of an attack in the Netherlands or against Dutch interests.

Terrorism

International threat

The Netherlands and its interests are still among the targets of preference for jihadist networks operating on an international basis, justified primarily by the film 'Fitna', which is regarded by jihadists as an insult and a provocation. It is also relevant that jihadists have lost a lot of sympathy among the wider Islamic circles, as well as among their own ranks, through the attacks on targets in Islamic countries in which many civilian fatalities occurred. Jihadists have been attempting to take advantage of this internationally using a media offensive, more so than at the time of DTN 14. They argue that they are selective in their choice of targets, blame the 'enemy' for using citizens as human shields, thus causing civilian victims, and they are increasingly emphasising the desirability of attacks against Western interests and the battle in the Palestinian territories. These developments may result in a sharper focus on Western targets – therefore including Dutch ones – possibly in Europe, but also for example in North Africa and the Pakistan/Afghanistan region.

Jihadistic incidents and developments in other countries illustrate the increase, on a broader base, of the exogenous threat against the West. For example, "Al Qa'ida in the Islamic Magreb" (AQIM) and its affiliated groups are constantly extending their activities in North Africa. Western interests in the region are definitely potential targets for jihadists in North Africa. The number of threats from AQIM against Western businesses, individuals and institutions also appears to be on the rise. These developments are underscored by the contents of communications from AQIM, which also form part of the media offensive mentioned above.

While the picture in Pakistan is constantly changing, and varies from one region to another, the Pakistani government is currently taking a much tougher stance against terrorists in some regions. Despite this, however, jihadists appear to be in a position to perpetrate major attacks such as the one on the Marriott Hotel in Islamabad. Also, a number of jihadist movements operating in the Afghanistan-Pakistan border area are attempting to combine their forces (to an even greater extent).

What this means for Western nations is that the previously established threat against Western (political) interests in the region remains as high as ever. The kidnapping (or attempted kidnapping), in recent times, of several citizens of Western countries in Pakistan has given rise to a situation in which we must (once again) take into account the threat of kidnap attempts on Western diplomats in Pakistan.

Furthermore, the attacks that have taken place in the Indian city of Mumbai in late November 2008 serve to illustrate the fact that citizens of Western nations and Western-owned property in a general sense both constitute a target for jihadists.

There are also new reports of German jihadists affiliated to the Islamic Jihad Union (whose activities are concentrated in the Pakistan/Afghanistan border area), who may want to undertake attacks in Europe. This fortifies the threat, which had already been identified for some time, of jihadists being trained in the border area and then returning to Europe.

Some prominent jihadist sites disappeared from the Internet on the eve of 11 September 2008. The disappearance of these websites meant that the video by Al Qa'ida leaders, announced just before 11 September and intended as propaganda targeting the commemoration of 11 September 2001, could not be broadcast on the intended date. Reports of this on jihadist websites indicate that this was viewed by jihadists as a loss of face.

Networks in the Netherlands

The situation surrounding networks in the Netherlands has remained largely the same when compared with that at the time of DTN 14. Within most of the networks the situation appears to be relatively calm, but some individuals are still showing an interest in taking part in the international jihad. In addition, the jihadist ideology as such has not disappeared from the networks, and these networks are in regular contact with each other. This allows a wider sharing of professional knowledge and experience within jihadist circles.

An individual, who had been radicalised within a very brief period and who was in possession of two firearms and a silencer, was very recently detained on the basis of an official report from the AIVD (General Intelligence & Security Service). It is not yet known what the individual in question was planning to do with the weapon.

Profile of the Netherlands

While basic elements of the Dutch profile are still relevant, such as the military presence in Afghanistan, 'Fitna' remains the most significant justification for foreign (international) jihadist networks for their continued focus on the Netherlands. The film may well draw renewed attention from the wider public in Islamic countries, as it has been shown in Israel in December 2008.

Internet sites in Islamic countries have also recently been devoting attention to the film about the prophet Mohammed that was produced by the local politician, Jami.

Radicalisation and polarisation

A number of prominent salafist centres in the Netherlands are working together, and adopting a broad-brush approach to Dutch society in the process. This means that they are still the driving force behind the salafist *dawa* in the Netherlands. In addition, in these centres where in recent years there has generally been an active discouragement of extremist pronouncements, there are sometimes incidents of radical discourse being expressed once again, for instance in the form of broadcast sermons by salafist preachers in North Africa.

Radical youngsters with jihadist ideas who are being kept out of the known salafist centres seem to be attending other mosques where they can still congregate. It may be that in those mosques these youngsters have the opportunity of disseminating their radical ideology even further, and perhaps stirring up trouble in the mosques.

Resistance

The general picture of increased resistance to radicalisation among the Islamic community, as has been confirmed in successive DTNs, remains unaltered. Various Islamic organisations have also spoken out clearly in recent times on topics that dominate the debate about Islam. Another important trend, which has been perceptible for some years, concerns resistance from salafist centres. More and more often, they are refusing to allow access to radical youths with jihadist ideas.

Countermeasures

The Court of Appeal in The Hague issued its appeal judgement in the Piranha Case on 2 October. Samir A was sentenced to nine years' imprisonment, Nouredin el F. to eight years, Mohammed C. to six years, Soumaya S. to four years and Mohammed H. to three months. What was significant was that the Court of Appeal held it to have been proven that they formed part of an organisation with terrorist aims. A definitive judgment regarding the interpretation of the relevant legislation on this matter (Articles 140/140a of the Netherlands Criminal Code) has not yet been issued, since there may yet be cassation appeals by the lawyers. In another case, against the 'Hofstad Group', a cassation appeal raised by the Public Prosecution Service is ongoing.

On 3 September the Court of Justice of the European Communities ruled that the decision by the Council of the European Union to freeze the assets of an individual and an organisation suspected of involvement in terrorism was void. The present procedure for placing people on the 'terrorist blacklist' is in conflict with fundamental rights, such as the right to a fair hearing. The judgement by the Court of Justice may have consequences for dealing with the financing of terrorism if confidential information underlying inclusion on the 'terrorist blacklist' is not released, as the release of information that may possibly be confidential may well conflict with other interests.

Meanwhile, the right to hear the arguments of both parties has been observed with

regard to these particular cases. It has been decided once again to place the relevant individuals on the list. The relevant assets have remained frozen throughout. In a judgment pronounced on 4 December, the Court of First Instance of the European Communities annulled the most recent Council decision to place MKO on the list. In this case too, the Court found that the (recently updated) substantive arguments for inclusion in the list had not been communicated satisfactorily to the MKO. The Netherlands is still examining the consequences that arise as a result of this judgment.

2. Countering radicalisation

2.1 Research

During the past period, research has been undertaken into radicalisation in the Netherlands. You received the report *Teruggang en uittreding. Processen van deradicalisering* [Decline and disengagement. An analysis of processes of de-radicalisation] at the start of October 2008². This research study analysed the reasons for the decline of radicalism among radical Moluccans in the 1970s, the squatters' movement in the 1980s and the extreme right-wing Centre movement in the 1980s and 1990s. The research also looked into why radical movements cease to exist and why individuals disengage from radical groups. The conclusions from this research have been used to formulate recommendations about promoting de-radicalisation among Islamic radicals. The theoretical insights and practical experiences will be used as the basis for the development of de-radicalisation programmes. Research is also underway into attitudes among youngsters in relation to radicalism and terrorism, as well as research into salafist communities in the Netherlands. These research projects will be completed during the course of 2009. In addition to these three research projects, the NCTb is also financing other research to provide a greater understanding of the phenomenon of radicalisation. The knowledge gleaned from this research will be applied in an analysis of the processes of radicalisation and in the implementation of the policy on radicalisation.

2.2 Hotbeds of radicalisation

As you are aware, the so-called 'hotbeds of radicalisation' have been targeted since 2005 in order to restrict their influence as far as possible³. This approach consists of a coordinated application of the existing powers and mechanisms of national and local government. The NCTb acts as director while municipal authorities direct matters at the local level. Various government organisations are involved in this approach; these organisations collaborate in the process of collecting and exchanging relevant information on the hotbeds of radicalisation. This occurs by means of multi-disciplinary analyses, with each of the organisations concerned supplying relevant information from its own specialist area. The measures to be taken are subsequently harmonised. The government organisations which are involved are the NCTb, AIVD, Education Inspectorate, IND [*Immigration & Naturalisation Service*], Tax & Customs Authority, FIOD [*Fiscal Information &*

² IMES, *Teruggang en uittreding. Processen van deradicalisering ontleed*. [Decline and disengagement. An analysis of processes of de-radicalisation] House of Representatives, session year 2008-2009, 29,754, no. 137.

³ Hotbeds of radicalisation are organisations, groups or sites where there are activities and pronouncements which contribute towards the further radicalisation of individuals and which might take the form of terrorist-type activities. Hotbeds of radicalisation are breeding grounds for radicalisation. See also Lower House of Parliament, session year 2005-2006, 29,754, no. 61.

Investigation Service], the Public Prosecution Service, the police and the municipal councils for those areas where the hotbeds are situated.

The situational analysis for each hotbed is updated periodically and is checked to see whether the approach is actually having the desired effect. These analyses form the basis of an assessment, for each hotbed, of whether and how the approach should be continued. A number of trends have been perceptible for some time now. As a result of increased government attention, resistance to radicalisation among the Dutch Muslims and increased public concern, the hotbeds have started to soften their tone. In public, they distance themselves from the use of violence more often, and their practices are somewhat more open. The analyses and the developments form the basis of an assessment, for each hotbed of radicalisation, of whether and how the approach should be continued.

2.3 Action plan on Polarisation and Radicalisation

In the context of the Action Plan on Polarisation and Radicalisation, an investment has been made in the process of passing on knowledge and supporting municipalities in connection with their counterterrorism activities. For example, the knowledge and advisory centre for polarisation and radicalisation, *Nuansa*, has had an active website (nuansa.nl) since 1 October 2008. Information on radicalisation and polarisation is provided via this website, covering the extreme right, islamic radicalism and animal rights activism.

You will receive information on the progress of activities in the context of the Action Plan on Polarisation and Radicalisation in a separate progress report. This progress report will be sent to the Lower House at the end of 2008, along with the Operational Action Plan for 2009.

2.4 Combating the use of the Internet for radical and terrorist purposes

Various processes have been deployed in order to combat radical pronouncements and terrorist information on the Internet. Examples include monitoring, surveillance, the Cyber Crime Reporting Centre and the development of a Notice-and-Take-Down (NTD) system. Research is also currently underway to determine to what extent the current statutory powers of the investigative and intelligence services remain adequate in the light of new (cyber) technologies.

The Internet surveillance project has now been completed and has been incorporated as an innovative topic in the police cyber crime reinforcement programme. Development work is currently ongoing on the Cyber Crime Reporting Centre, focusing on an extension of the number of cyber offences which can be reported. The AIVD, KLPD [*National Police Services Agency*], and the NCTb will also be investigating how to collaborate with each other more shrewdly and efficiently in the field of Internet monitoring and surveillance.

The investments already made towards efforts to block radical pronouncements and other terrorist information have led to the development of a Notice-and-Take-Down system, based on a code of conduct which was presented to Secretary of State Heemskerk on 9 October 2008 and which will shortly be submitted to your House. Under the Code of Conduct, suppliers of services (including telecoms) on the Internet will have their own accessible NTD procedure for reporting unlawful or criminal content on the Internet. Internet parties will henceforth be able to submit a report at any time and ensure that unlawful and criminal content is removed immediately from the Internet.

The Netherlands is closely involved in the international approach to dealing with use of the Internet for terrorist purposes. The Dutch input is aimed at formulating a joint approach for counteracting terrorist content on the Internet. There is Dutch participation for this purpose in the European Check the Web project, under which Member States exchange knowledge and analyses of terrorist websites. The Netherlands is also continuing to back further public/private collaborative links, for example with a view to self-regulation and the stimulation of other measures, including an NTD system within the European context. Within the UN framework, the Netherlands is involved in the development of a UN strategy for combating the use of the Internet by terrorists.

2.5 European developments in radicalisation

Contrary to previous expectations, the European Commission did not issue a Notice on violent radicalisation this summer. Rumour has it that this is associated with the appointment of the new Justice & Internal Affairs (JIA) Commissioner, Mr. Barrot. We do not yet know when the Commission will come forward with this Notice.

The French chairmanship is expected to complete the review of the European Action Plan on Radicalisation and Recruitment during its tenure. Greater attention will be paid to the media strategy which will focus on countering radicalisation. There will also be a greater emphasis on de-radicalisation.

3. International developments

Bearing in mind the nature and scale of international terrorist threats, as outlined in previous DTNs including the most recent one, it remains important to strengthen bilateral programmes and to support multilateral institutions. The policy already being pursued will be shaped accordingly.

3.1 Bilateral cooperation

The threat emanating from groups in North Africa is a matter of increasing concern. This is why we are seeking cooperation with countries in the region on various aspects of counterterrorism.

As a follow-up to the bilateral conference last year, the dialogue and cooperation on counterterrorism between the Netherlands and Morocco have been enhanced. Various activities in this context are already under way in Morocco. The Royal Military Constabulary (KLPD), for instance, is involved in bilateral projects pertaining to document fraud. A project is also being carried out concerning terrorism and the Internet, and the effectiveness of the Moroccan response via the Internet. Training courses have been provided in this context during the past period to Moroccan government officers on methods for countering radicalisation via the Internet. A course on digital investigation has been planned in conjunction with the KLPD. A number of matters will also be formulated in concrete terms in 2009 within the framework of cooperation with Algeria. These include matters such as security measures, Customs collaboration, border monitoring and countering the financing of terrorism. The National Coordinator for Counterterrorism visited the President of Algeria's Council Adviser on Counterterrorism on 28 and 29 October 2008, in order to give further substance to the bilateral cooperation between the two countries. This was a follow-up to the Adviser's visit to the Netherlands in October 2006. Various meetings were held during the visit with Algerian government services and the Director of the Counterterrorism Coordination Centre of the African Union in Algiers (CAERT). Agreement was reached on thematic content and scheduling for future cooperation in the field of counterterrorism.

3.2 United Nations

The first formal review of the global UN Strategy on Counterterrorism took place in New York at the start of September 2008. The objective of the meeting was to evaluate the efforts of the UN Member States towards implementing the Strategy. On behalf of the European Union, the French Chair and the EU Counterterrorism Coordinator (CTC) examined the efforts being made by the Union. The Dutch delegation also explained our national efforts in a brief statement. This emphasised the importance of fortifying the international statutory framework. It was also indicated that the Netherlands was a proponent of the use of the International Criminal Court for prosecution of terrorist offences in those cases where they could be categorised as offences against humanity. The Netherlands also underlined the importance of respecting human rights in the battle against terrorism. In the context

of implementing the UN Strategy, the Netherlands is financing the working group which is undertaking a study into how to counteract the use of the Internet for terrorist purposes and radicalisation, on a global basis.

3.3 Terrorism blacklists in the European Union and the United Nations

You were informed about improvements in the procedural safeguards for individuals and organisations placed on the EU and UN terrorism blacklists in the sixth, seventh and eighth Progress Reports.

Decision of the Court of Justice on testing the validity of EC legislation against community fundamental rights

The Court of Justice of the European Communities issued its appeal decisions in the case of Kadi and Al Barakaat on 3 September 2008. This individual and organisation were placed on the UN terrorism blacklist in October 2001, implementing Resolution 1267 by the UN Security Council. The European Member States implemented this Resolution by means of an EC Regulation. The Court held that an international agreement could not prevent the Court from testing the validity of EC legislation against Community fundamental rights. The Court could accordingly examine whether the EC freezing order was compatible with these fundamental rights. According to the Court, the EC freezing order was not compatible with the rights of the defence (the right to a fair hearing and the right to effective judicial review), nor with the law of property.

The Court did not comment on the question of whether Kadi and Al Barakaat were correctly subjected to the freezing sanction, and held that annulling the Regulation immediately might have serious consequences. For this reason, the Court allowed the Council a period of three months - prior to 3 December 2008 - within which to remedy the defects in these two cases, as established by the Court. Until then, the consequences of the EU Regulation would remain in effect insofar as affecting Kadi and Al Barakaat.

Resolution 1267 (1999) by the UN Security Council provides for financial sanctions against the Taliban, Osama Bin Laden, Al Qaida and individuals and organisations associated with them. A sanctions committee, consisting of members of the UN Security Council, decides which individuals and organisations belong to this group, and places them on the 'UN blacklist'.

The Dutch government has studied the Court's judgement carefully and, in the European context, has urged a speedy remediation of the defects established by the Court. The government shares the concern about the legal safeguards surrounding the UN sanction regime, which is evident from the Court's judgement. While some parts of the regime have already been strengthened in recent years – through the recent adoption of UN Security Council resolution 1822 – a number of EU countries, including the Netherlands, regularly continue to highlight the need for further

improvements to the legal protection of individuals on the blacklist. The Netherlands strongly advocates the setting up of an advisory panel of independent and impartial experts for the 1267 sanction committee, which should deal with applications for de-listing. This is not in fact an effective legal check, but it is a step in the right direction. There is at present no support for such a panel among the members of the UN Security Council, however. Resolution 1822, which was adopted in June 2008, does contain some limited improvements to the UN system of sanctions, such as a regular review of placements on the UN sanction blacklist.

4. Effective mechanisms and organisation

4.1 *Passenger Name Records (PNR)*

Discussions have been ongoing, under the French chairmanship, on the proposal for setting up an EU system for the exchange of Passenger Name Records (PNR). The objectives of the proposal include the creation of a resource for counterterrorism.

The discussions have included wide-ranging debate on crucial issues such as:

- scope of the proposal;
- objective of the proposal;
- data protection;
- collating the list with data collected by the Passenger Information Units (PIUs);
- operational methods for requisitioning the data;
- step-by-step approach, with the objective of ultimately collating all PNR data covered by the framework decision;
- powers and responsibilities of the PIUs;
- the creation of risk analyses.

This involves close collaboration with the interested parties, such as the French parliament, the data protection authorities and the transportation sector.

You have been informed about progress in the usual manner, as regards preparations for the meetings of the Council on Justice and Internal Affairs. Also, on 12 November last year, you received a letter on usefulness and necessity, the step-by-step plan and the Dutch government's attitude in the context of the formulation of the framework decision⁴.

4.2 *CBRN (Chemical, Biological, Nuclear, Radiological) terrorism*

A coordinated effort at the national level, aimed at minimising the chance of CBRN terrorism, is and remains essential, in light of the disproportionate impact that a CBRN attack might have. The process which has already been initiated, and which focuses on enhancing CBRN security, has been given an added impulse. The Cabinet has allocated €96.8 million for this process for the period 2008-2013. The lion's share of the resources is being applied to increase resistance at CBRN research facilities which might be at risk, such as hospitals, laboratories and universities. This involves a sum of €76 million for the entire period of 2008-2013. A start has been made in 2008 on putting measures in place for the first batch of properties. We are also clear about the properties where implementation will be started during 2009. The process is going according to plan. A sum of €20.8 million has also been allocated for this period to enhance the opportunities for (forensic) research in the CBRN field, for example by strengthening the investigative function

⁴ This letter was prepared in response to a commitment to your House during the Intelligence Briefing of 22 October 2008 in preparation for the JIA Council of 24 October 2008.

and improving potential response in the event of an incident occurring. Implementation has also commenced as regards enhancing the response.

The Ministries of Housing, Spatial Planning & Environment (VROM), the Interior & Kingdom Relations (BZK) and Economic Affairs (EZ) concluded an agreement, at the end of February 2008, with those businesses in the chemical and petrochemical industries which are most at risk, aimed at the provision of security measures. The Nuclear Energy Act is also being adjusted at the moment, under the aegis of VROM, so that licence holders will be obliged to arrange for security measures. It is anticipated that this legislative amendment will become operational during 2009. Interdepartmental work is also proceeding (LNV [Agriculture, Nature & Food Quality], VROM, VWS [Public Health, Welfare & Sport] and OCW [Education, Culture and Science]) on strengthening the security at biological agencies. The Bio-security Code of Conduct, developed by the Royal Academy of Sciences [*Koninklijke Academie van Wetenschappen (KNAW)*] on instructions from the Ministry of OCW, is currently being applied at the relevant institutions and educational establishments.

Finally, we can report that the European Commission is also prioritising CBRN security. Parallel working groups are presently developing (policy) measures, focusing on different materials (C, B and R/N), and these will be announced during 2009. The measures being developed are aimed at curtailing the risks from CBRN materials, including their possible use for terrorist purposes.

4.3 Explosives

The Dutch project on home-made explosives was set up in response to the observation that the majority of attacks and attempted attacks in Europe are perpetrated with explosives based on freely available chemicals. The aim of the project is to make the fabrication and use of home-made explosives more difficult. The Dutch approach to (home-made) explosives is running in parallel with the European Action Plan on the Safety of Explosives, which was approved by the European Council of Ministers of 18 April 2008. The action plan is designed to make it more difficult for terrorists to use explosives and their constituents, and covers a number of security measures for commercial and home-made explosives. The action plan also provides for research into the enhancement of detection techniques and other matters. The Netherlands is making the maximum effort to ensure that any forthcoming European legislation will be as effective and proportionate as possible. An expert meeting was organised at the start of October with this in mind. While we await a solution at the EU level, we are starting to take provisional steps at the national level. Some activities have already been initiated for this purpose, with relevant players from the public and private sectors.

4.4 Study and skilled migration

The blueprint entitled 'Towards a modern migration policy', submitted to the Lower House by the Secretary of State for Justice, includes a separate section devoted to

the security risks inherent in migration for the purpose of study and in the case of skilled migrants. The NCTb is working closely with partners inside and outside the national government in order to limit these risks as far as possible. We will be investing this question to acquire a greater understanding of the trends relating to the influx and outflow of skilled migrants and migrants whose purpose is educational studies. Indicators will also be prepared for foreign students and skilled migrants in order to provide more targeted checks on risks to national security. Sponsors will also be asked to pay more attention to security aspects in the context of the registration system. Contact officials will also be encouraged to remain alert to signs that might indicate radicalisation or other risks to national security. Interdepartmental working groups and representatives from the education sector are working out proposals, under the direction of the NCTb, for implementation of these recommendations within standard operating procedures.

4.5 Elaboration of the Pechtold motion

The Pechtold motion was accepted by your House on 15 November 2007⁵. This motion asked the government to look into the best way to formulate an investigation into Dutch anti-terrorism policy. In a letter of 11 July 2008⁶ your House was informed that a temporary committee was being set up in response to the motion. Your House was informed, during the budget negotiations with the Ministry of Justice and also by letter of 11 November,⁷ with regard to the membership of the committee, which consists of outside experts chaired by Mr. J.J.H. Suyver. The committee also includes Professor C.P.M. Cleiren, Professor M.J. Borgers and Mr. P.J. van Zunderd. The committee commenced its work on 1 October 2008 and is expected to submit its report no later than April 2009.

The aims of the Suyver Committee are threefold: firstly, it is examining how to obtain a more cohesive assessment of all of the measures which have been taken; the committee will then look into how such a mutual cohesion can contribute towards the preparation of new policy; finally, the committee will formulate points for attention which the Cabinet will use to determine its position on the results of planned evaluations of legislation and regulations pertaining to terrorism.

The letter of 11 July 2008 informed the House that the motion was also being implemented by keeping the House informed, in the Counterterrorism Progress Report, of any (ongoing) evaluations and the results of national and international evaluations of terrorism policy and legislation. That letter also contains an overview of the current and proposed evaluations.

4.6 Monitoring of the Act on the Extension of Facilities for Detecting and

⁵ Lower House of Parliament, session year 2007-2008, 31 200 VI, no. 79.

⁶ Lower House of Parliament, session year 2007-2008, 29 754 / 31 200 VI, no. 132.

⁷ Reference to the publication to follow.

Prosecuting Terrorist Offences

The Act on the Extension of Facilities for Detecting and Prosecuting Terrorist Offences came into effect on 1 February 2007. When the Bill was being considered in parliament, the Minister indicated 'a desire to keep a process going to monitor current legislation on a continuous basis'. The results of this monitoring exercise will be published each year. The first such report will be made available to the Suyver Committee to assist it in its work. The report, along with the opinion of the Suyver Committee, will be submitted to your House.

4.7 Financing of terrorism

Report from the Netherlands Court of Audit

On 3 June of this year⁸ your House received the report prepared by the Court of Audit, entitled *Bestrijden witwassen en terrorismefinanciering* [Countering money laundering and the financing of terrorism]. In that study, the Court of Audit investigated whether the intended objectives concerning efforts against money laundering and the financing of terrorism, and the associated work, were being achieved. The Ministers of Finance, BZK and Justice indicated in their response – which is included in the report – that they were working on increasing their understanding of the effectiveness of countermeasures against the financing of terrorism, as well as strengthening expertise and prioritization among partners in the system. They also indicated that they were working on expanding capacity for financial investigations and improving the exchange of information among the partners in the system. The Lower House has now asked some questions in relation to the report, which have been answered by the Ministers of Finance, Justice and BZK⁹.

Foundations

The Cabinet indicated, in 2005, that it wanted to improve the transparency of foundations. A number of steps have since been taken in this area. You received an explanation of the government's facilities for the supervision of good causes in the letter of 8 September last year¹⁰.

What is required, however, to fortify the preventive and repressive facilities in relation to the abuse of foundations is a further systematic improvement in the information position on data concerning foundations. Work on a proposal is proceeding at the moment.

⁸ Lower House of Parliament, session year 2007-2008, 31,477, no. 1.

⁹ Lower House of Parliament, session year 2007-2008, 31,477, no. 5.

¹⁰ Lower House of Parliament, session year 2007-2008, 27,834, no. 51.

5. Security measures

Due to the fact that we must take note of the kidnapping of staff from Western embassies in Pakistan, this new threat has been taken into account as regards security at the Dutch Embassy, and we are looking into whether further steps may be required.

5.1 *Monitoring and safeguarding*

It is important that people who are under threat or who are receiving security cover should be assisted by experts. This is why an advisory meeting between the person who is to receive security cover and an expert is a fixed element of the security procedure.

An investigation was also recently completed by the AMC into the psycho-social impacts of long-term threat and security. The results of this investigation are being used so that support for individuals under threat and their close relations can be undertaken more systematically and in line with the most recent insights.

The revised monitoring and safeguarding circular was finalised on 1 October 2008. This describes the policy-based developments within the monitoring and safeguarding system – such as the changes in relevant legislation and regulations, including the Intelligence & Security Services Act [*Wet op de inlichtingen- en veiligheidsdiensten (WIV)*] and the Police Act of 1993. The circular also describes the attention that is paid to the personal impacts of threats, and how the government is communicating more effectively with individuals under threat. In the five years of the existence of the monitoring and safeguarding system, knowledge and experience in relation to these topics have expanded substantially. This is evident in a more professional approach, innovation and sophistication, with an increasing emphasis being laid on the proportionality of the steps that are taken. The operational frameworks for the system of monitoring and safeguarding have been fully updated in the revised circular.

5.2 *Camera supervision*

The programme Camera Supervision in Public Transport has given a boost to security in the sector most vulnerable to terrorist attacks, namely public transport, by means of the co-financing of projects relating to camera supervision. The vulnerability here is due to the combination of vital infrastructure and ‘soft targets’.

The Justice budget for 2007 accordingly included a long-term programme for improving camera supervision in public transport. The programme has now been deployed in collaboration with the Departments of BZK and V&W [*Traffic & Waterways Management*]. Its objectives are to increase public safety on public transport using camera supervision for the prevention of terrorist attacks, to accelerate the detection process where necessary, to assist the emergency services if necessary in the event of a disaster, and to improve collaboration among the

partners involved in the system. 'Smart' camera supervision (effective and efficient) is used to achieve these objectives.

The objectives are being implemented in two parts: a subsidy programme for Camera Supervision on Public Transport (CTOV), for specific at-risk locations, and the Communal Reporting Centre Infrastructure (GMI) at Schiphol Airport.

6. Crisis response

6.1 *Alert system for counterterrorism (Atb)*

The final report of the Court of Audit on the Alert system for counterterrorism has now been submitted to the Lower House. The Minister of Justice has responded to this in writing, exploring the recommendations from the Court of Audit. The Lower House has now asked some questions in relation to the report, which have been answered by the Ministers of Justice and of the Interior & Kingdom Relations.

One of the recommendations in the report from the Court of Audit (bringing decentralised parties into closer contact with each other) has been followed through since the start of this year in the form of regional meetings, to which all of the parties concerned with Alert sites are invited. Alert sites are locations which have been designated by the sectors themselves as being potential targets for terrorist attacks. Three criteria are applied for this: a large number of victims, a lot of economic damage and appearance as being symbolic of the West. The objective is to make more detailed arrangements about firming up on the measures which have been agreed. 22 regions have now been visited. Experience to date suggests that these meetings are fulfilling a need.

6.2 *Exercises*

One of the mainstays of the Alert system for counterterrorism is a thorough programme of exercises. The Atb exercise cycle consists of three elements for each affiliated sector: first of all, there is a general introductory workshop. This is followed by a 'desktop' exercise during which decision-making procedures are practised. Finally, there is an operational exercise where the security procedures and other measures to be taken are actually implemented in practice.

Following the operational exercises in the sectors for Railways, Drinking Water, Airports and Nuclear, which have already been held, there are operational exercises planned for 2009 in the Financial, Gas & Electricity, City & Regional Transport, Oil & Chemicals and Ports sectors.

6.3 *System of Special Units*

On 14 July 2008, your House received the Cabinet's Position Paper on the opinion from the committee evaluating the reinstatement of the system of special units¹¹. The Cabinet indicated in that letter that it was adopting virtually all of the committee's recommendations in their entirety. An interdepartmental project structure has now been initiated, and a start has been made on elaborating the recommendations. It is anticipated that all of the recommendations will have been implemented before the 2009 summer recess.

¹¹

Lower House of Parliament, session year 2007-2008, 29 754, no. 133.

7. Communication and information

7.1 Public campaign

This is the third and final year of the mass media campaign entitled 'Netherlands against terrorism' which the NCTb embarked on at the request of the House in February 2006. The campaign is making a contribution towards increasing citizens' awareness of terrorism and counterterrorism and their confidence in what the government is doing about counterterrorism, and also points out what citizens can do to contribute to these efforts themselves. The professionals who each make their own contribution towards counterterrorism in the Netherlands have been central to each of the campaign periods. A sub-campaign was undertaken in the third quarter of 2008, with the target group being businesses. This was followed immediately by a concluding campaign period for the general public, in the final quarter, which helped focus extra attention on the profile of the campaign website.

The mass media effort via P.O. Box 51 will discontinue after 2008, although the website www.nederlandtegenterrorisme.nl will be retained and supported with the requisite resources. Contact will accordingly be maintained – on a rather more modest scale – with the target groups that have been addressed within the campaign during the past three years: local government, professionals working with young people, business people in various commercial sectors and the general public. This external focus is also intended to increase security awareness across the board for society at large.

7.2 Public research

Research among the public was undertaken once again in September 2008, into the Dutch public's perceptions of risk and needs for information on terrorism and counterterrorism. This was the fifth edition of the research, which has been undertaken annually since 2004 in conjunction with the State Information Service. The object of this annual research is to monitor public opinion on the subject of terrorism.

The most significant conclusion apparent from this year's research is that Dutch citizens are currently more concerned about economic developments than about terrorism and terrorist attacks. The feeling of security has increased, with a corresponding fall in watchfulness. The research also confirmed a greater subtlety of attitudes in relation to the origins of terrorism and the consequences of radicalisation for society in the Netherlands.

The Minister of Justice,

The Minister of the Interior & Kingdom
Relations,

E.M.H. Hirsch Ballin

Ms G. ter Horst