

## **Letter of 30 March 2015 from the Minister of Security and Justice to the House of Representatives on the policy implications of the 38th edition of the Terrorist Threat Assessment for the Netherlands (DTN38)**

Enclosed please find the public version of the 38th edition of the Terrorist Threat Assessment for the Netherlands (DTN38), drawn up by the National Coordinator for Security and Counterterrorism (NCTV). This DTN sheds light on the factors that have led the authorities to set and maintain the threat level at 'substantial'. As the DTN makes clear, there is still a realistic possibility that an attack will occur in the Netherlands. There are, however, no concrete indications of such an attack. The attacks in Paris and Copenhagen and the foiled plot in the Belgium town of Verviers are a stark reminder that the previously identified threat to Europe and the Netherlands is undiminished. Consequently, there is currently no cause to change the policy set down in 'The Netherlands comprehensive action programme to combat jihadism'. Moreover, bearing in mind the long-term nature of the current threat situation, the government has decided to enhance the country's security apparatus in a number of respects.<sup>1</sup>

This letter discusses the key factors underlying the current threat, and the policy implications of DTN38.

### **DTN38**

The key factors underlying the current terrorist threat to the Netherlands remain unchanged since the last DTN: international networks; jihadist travellers and returnees; and the rapid interaction between events in the Middle East and North Africa and jihadist groups in the West.

The problem of jihadist travel remains an intractable one. In the past few months a number of new cases of radicalisation in and jihadist travel from the Netherlands have been identified. Jihadists who return to the Netherlands pose a potential risk due to their training, combat experience, indoctrination and the possibility that they may have been tasked with a mission during their time in a conflict zone. Yet the threat to the Netherlands goes beyond the danger associated with jihadist travellers. Jihadists living in the Netherlands who have never even been to a jihadist conflict zone can still decide to commit an act of violence. Such decisions can be influenced by the strong interaction between the conflicts in the Middle East and North Africa and jihadist groups elsewhere, including Europe. The propaganda being disseminated from jihadist conflict zones via the internet, including social media, plays a role in this phenomenon and could inspire individuals living in the Netherlands to commit an impulsive act. In this connection the triggering role played by current events should not be underestimated.

### **Policy implications of DTN38**

The attacks in Paris and Copenhagen and the foiled plot in the Belgian town of Verviers reflect the current threat level and confirm the nature of the threat described above and (in greater detail) in DTN38. The measures taken in the framework of the 'The Netherlands comprehensive action programme to combat jihadism' are designed to address the long-term character of this threat. For more on the implementation of this action programme, I would refer you to the progress report which is being sent to the House along with the DTN. The surveillance and protection measures that are in place also take account of the long-term character of the threat. In this connection the Royal Netherlands Military and Border Police (*Koninklijke MarechausseeKMar*) have provisionally taken over surveillance and protection duties from the local police at a number of high-risk locations. This has freed up personnel to return to providing basic police services in residential neighbourhoods, one of the core tasks of the police. The KMar, which is well-equipped to handle surveillance and protection tasks, is able to scale up or scale back its response at short notice as the situation warrants.

The current DTN also addresses a number of factors that have not received substantial attention in previous editions, specifically: the risks associated with the intersection of jihadism and ordinary crime; identity fraud; and the potentially radicalising role of Salafist preachers. For some time

---

<sup>1</sup> See the letter of 27 February 2015 on enhancing the security apparatus (House of Representatives 2014-15, 29 754, no. 302)

now, there have been a number of initiatives in place relating to these issues, some of which serve broader goals than simply combating jihadism (e.g. efforts to prevent identity fraud or to combat the illicit trafficking of and trade in firearms).

### **The risk of jihadism and crime intersecting**

It has emerged that some of the perpetrators of the attacks in Paris and Copenhagen had a criminal background and were radicalised in prison. This mix of jihadism and ordinary crime entails certain risks. For example, criminals often have experience with violence and a willingness to use it, while jihadists can make use of underworld contacts to obtain weapons.

At present, radicalisation in Dutch prisons is a fairly limited problem. Even so, the issue has the full attention of the Dutch prison authorities. Individuals suspected of or convicted of a terrorist offence will be placed in the specially designed terrorist wings maintained by the Custodial Institutions Agency (DJI). One of the aims of the terrorist wings is to combat recruitment and radicalisation. The terrorist wings have extensive security measures in place to prevent any terrorist activities. Every prisoner who is placed in a terrorist unit is subject to a specific individual regime. It is up to the prison governor to determine, on the basis of a risk assessment, to what extent a given prisoner should be allowed to take part in certain individual or group activities. In arriving at this decision the governor is advised by a multidisciplinary consultative body, specifically established for the terrorist wings. Within this group, the DJI works with the police, the Public Prosecution Service, the NCTV and the Dutch Probation Service. Under existing law, prisoners placed in terrorist wings have limited and strictly controlled contact with the outside world.

Jihadism and radicalisation are also priority issues within the regular prison system. Identifying abnormal or radical behaviour is part and parcel of the day-to-day work of any custodial institution. All prisoners are periodically discussed in a multidisciplinary consultative group. If it is determined that a prisoner is being (or has been) radicalised, the group will discuss what action should be taken. Any indications of radicalisation will be shared with the Prisoner Intelligence Service (GRIP). If there is cause to do so, the prisoner will be transferred or other measures will be taken to prevent radicalisation and ensure the safety and security of the institution. In the most extreme cases a prisoner can be placed in the terrorist wing.

The Ministry of Security and Justice is currently studying the use of individual regimes in the terrorist wings. One of the issues being examined is whether a more customised regime might help these prisoners' eventual reintegration into society. The study is also looking into whether the different categories of prisoners in these wings (the 'susceptibles' and 'non-susceptibles') can or should be placed in different sub-units.

Following the increased use of (automatic) firearms in underworld killings in the Netherlands and in jihadist attacks, the police have stepped up investigations in this area. Specifically, this means using existing intelligence in a more targeted way and performing more in-depth investigations of cases involving firearms. The objective is not only to identify and prosecute criminals, but also to disrupt and prevent the activities of organised and serious crime. These measures will also reduce the likelihood that jihadists will be able to obtain firearms.

### **Identity fraud**

Jihadists are known to make use of other people's passports, thereby complicating the identification process. Evidence of this was uncovered during the raid in Verviers, where a passport belonging to a Dutch national was found. The fraudulent use of other people's passports or ID cards for travel purposes is nothing new. The loss of identity documents should always be reported to the authorities so that this information can be included in the databases that are consulted at the border. But of course, missing documents will not be reported if their loss is the product of criminal intent. Passports are sometimes misused by people known to the criminal justice authorities in order to remain under the radar.

Maintaining sound verification practices for identity documents is the best way of preventing people from travelling under a false identity with a valid travel document. Such official checks,

which occur not only at the border, but also during police inspections and at municipal offices that issue passports, are a prerequisite for identifying misuse. In exercising its border control duties the KMar is responsible for confirming travellers' identities. An important aspect of this is spotting forged and falsified documents. They also consult systems to determine if a given document has been flagged as stolen, revoked or missing. Furthermore, special attention is being given to recognising 'lookalike fraud', whereby an individual makes use of a genuine document belonging to someone else. In this way the Dutch authorities do their utmost to make it difficult for people to travel under another identity.

#### *Salafists and other ultraorthodox preachers may be contributing to radicalisation*

After the attacks in Paris and Copenhagen, public debate has begun to focus more on orthodox Islam, including Salafism. Salafist preachers are active in the Netherlands, and in certain circles they are seen as influential clerics. Various foreign preachers are known to have delivered sermons and speeches, either in their homeland or elsewhere in the world, with an intolerant – and sometimes hate-filled – message directed at dissenters, members of other faiths and non-believers. Some of these preachers are also in contact with radical Islamist individuals or organisations. This is not to say that they are jihadists. The 'political Salafists' among them, who are loyal to the governments of their own countries, often openly denounce jihadism and thus act as something of a buffer against radicalisation. Unfortunately, experience teaches us that for a small subsection of their audience, an intolerant attitude towards other segments of the population can serve as a stepping stone to further radicalisation towards violent jihadism.

In its action programme on jihadism, the government has indicated its desire to address radicalisation by tackling and disrupting individuals who spread jihadist propaganda. One of the measures proposed in this context is the denial of visas to foreign preachers who foster hatred and violence (measure 20f). This is permissible if the individuals in question pose a threat to national security or public policy (*ordre public*). Calling on followers to engage in armed struggle, preaching hatred or violence against dissenters or other segments of the population, and spreading an anti-integrationist and/or anti-democratic message not only pose a threat to public policy and disturb the peace, but can sometimes even jeopardise national security.<sup>2</sup> In processing visa applications for preachers or guest speakers with a background in Salafism (or some other variety of ultraorthodox Islam), the authorities pay particularly close attention to what is known about the applicants' previous public statements and activities. You were informed about the particulars of this process in a letter of 2 March 2015.<sup>3</sup>

The mere fact that someone may hold ideas that deviate from the Dutch mainstream is, in itself, not a reason to deny that person entry to the Netherlands. Freedom of religion, expression and assembly are essential to our democracy and the rule of law. In our country these freedoms are protected for all persons. But at the same time they are not without limits. Their limits lie at the point where they infringe on the freedoms of others, when people are incited to hatred or violence, and when the peace, public policy and security are in jeopardy. People who are issued visas to travel to the Netherlands and subsequently proceed to engage in hate speech or incite violence during their time here can expect to be prosecuted.

#### **International approach**

As stated in previous DTNs, the threat of jihadism is not merely a national problem, but a global one. With that in mind, it is vital to take advantage of existing options to work closely with our international partners (such as those within the EU) to tackle and reduce this threat.

At least as important is the need to enhance existing international cooperation, both bilaterally and within multilateral forums. The Netherlands is therefore active in the Global Counterterrorism Forum (GCTF), a multilateral body which brings together 15 Western and 15 non-Western countries to develop plans for dealing with terrorism. Within the GCTF the Netherlands is active in

---

<sup>2</sup> When processing combined applications for residence and work permits for foreign clerics, immigration officials already examine candidates' backgrounds for any anti-integrationist and/or anti-democratic pronouncements.

<sup>3</sup> See the letter of 3 March 2015 on media reports regarding the revocation of certain imams' visas (2015Z03687).

the Foreign Terrorist Fighters Working Group, which it co-chairs with Morocco. In 2014 an initiative on foreign terrorist fighters, co-sponsored with Morocco, led to the Hague-Marrakesh Memorandum, which sets out 19 good practices for dealing with this phenomenon. The above-mentioned working group, which was inaugurated on 15 and 16 December in Marrakesh, is concerned with fleshing out these good practices.

The Netherlands also actively works with other countries to oppose and prevent radicalisation and extremism. In that spirit the Netherlands took part in a ministerial summit on countering violent extremism, which was hosted by the US in Washington DC on 18 and 19 February. This summit was attended by representatives of over 60 countries, civil society and international organisations. The participants underscored the importance of fighting terrorism, particularly the need to work closely with countries in the region.

At European level a number of more extensive cooperation arrangements were made in the wake of the Paris attacks. In the months ahead Europe will ramp up various measures in this area, including sharing information on jihadists. The member states are providing increasing amounts of data to Europol Focal Points, and the number of terrorism-related entries in the Schengen Information System is growing every month. The Netherlands is a leader when it comes to sharing information with Europol and Interpol in this area. EU measures on issues like internet propaganda and illegal firearms have also been announced. Member states are being urged to work not only with partners in the EU but also with third countries, and to share their experiences on radicalisation. These European measures will be fleshed out in greater detail in the months ahead. As agreed, in preparation for the Justice and Home Affairs and Foreign Affairs Councils, the House will be informed about the progress being made on counterterrorism efforts and the position of the Netherlands and other countries in the counterterrorism field.

European agreements are essential to an effective approach to the illicit trafficking of and trade in firearms. For example, it is known that, due in part to differences in legislation and law enforcement practices in the various member states, deactivated firearms can sometimes be (illegally) converted into functioning weapons. For that reason my European counterparts and I have agreed to prioritise the development of measures regarding the decommissioning and deactivation of firearms. Increasing the sharing of information between the member states on firearms (e.g. through Europol) is also high on the agenda.

### **Conclusion**

The terrorist threat is still substantial, and we in the Netherlands must also take account of the possibility of an attack. The realisation that what has happened in France, Belgium and Denmark could also happen here obliges us to assess and reassess every day the adequacy of the measures we are taking. The action programme on jihadism is the robust response we need to the current jihadist threat, and at this point in time it does not need to be amended. The plan's implementation is in full swing, and all relevant agencies and organisations are 100% committed to its success. If the current threat trend continues, the long-term funding increase of €128.8 million will enable these agencies and organisations to do what is needed in the years ahead to counter the jihadist threat.