

Annual Report 2005

General Intelligence and Security Service

The AIVD is responsible for national security by timely identifying threats and risks that are not immediately visible. For this purpose the AIVD conducts investigations both within and outside the Netherlands. The AIVD shares specific knowledge and information enabling partners and interested parties to take appropriate measures. The AIVD identifies threats and risks, advises and mobilises other parties and actively reduces risks itself. By doing so the AIVD fulfils its own role within the network of government organisations involved in the protection of national and international security.

Foreword

Established on 29 May 1945, the General Intelligence and Security Service (AIVD) celebrated its sixtieth anniversary in 2005. The AIVD can look back on a rich history in which it has won its spurs as a security service and, since 2002, as a combined intelligence and security service. The AIVD will continue to dedicate itself to a safer and resilient society, as it has done ever since the Second World War.

National security occupies an important place on the (political) agenda. In 2005 it was demonstrated once again that European societies are vulnerable to terrorist attacks. The attacks in London in July 2005 proved this in a terrifying way. Also the Netherlands was faced with the threat of attacks. As a result of the arrest of several persons in October 2005 suspected of terrorist activities, strict security measures were taken with regard to the Binnenhof (the Dutch Parliament buildings) and several government buildings. Of course the AIVD's scope is wider than investigations into terrorism alone. In 2005 the AIVD also focused its attention on subjects such as radicalisation, left-wing and right-wing extremism, counter-interference and the proliferation of weapons of mass destruction.

As in previous years there was much political and media attention for the AIVD in 2005. The AIVD does not shun this attention. After all, a broad basis of support among politicians and Dutch society as a whole is indispensable for its right to exist as well as for the proper performance of its statutory tasks.

Operational aspects of the AIVD's work, in view of the interests of the protection of sources and the protection of the AIVD's current level of knowledge, do not lend themselves to extensive public reporting. This information is secret and is provided only to the Committee for the Intelligence and Security Services of the Second Chamber and to the Supervisory Committee on the Intelligence and Security Services.

In 2005 the AIVD started with the implementation of the development programme for quality and growth Prospect 2007. This multi-year programme constitutes the implementation of the recommendations made by the Administrative Evaluation Committee for the AIVD, which were adopted by the Cabinet. The basis of Prospect 2007 are four newly formulated core competences, which are defined as capacities (investigative, indicative, mobilising and acting) that need to be sufficiently ingrained in the service for it to adequately carry out its mission and hence its tasks. I am confident that the development programme will contribute to enabling the AIVD to remain an effective and watchful agency in a rapidly changing environment and threat context.

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List of abbreviations

AEL	Arab European League
AFA	Antifascist Action
AIVD	General Intelligence and Security Service
API	Anjoman-e Padeshani
AQUA	Appropriately Qualified Agency
AZ	Ministry of General Affairs
BIOS	Bureau for the Promotion of Integrity for the Public Sector
BPR	Basic Administration of Personal Data and Travel Documents Agency
BPRC	Biomedical Primate Research Centre
BVA	Security Officer
BVD	Dutch National Security Service
BZ	Ministry of Foreign Affairs
BZK	Ministry of the Interior and Kingdom Relations
CBB	Protection and Security Coordinator
CBE	Administrative Evaluation Committee for the AIVD
CBRN	Chemical, Biological, Radiological, Nuclear
CCRA	Common Criteria Recognition Arrangement
CCSS	Clingendael Centre for Strategic Studies TNO
CdB	Club of Bern
CIA	Central Intelligence Agency
CIVD	Committee for the Intelligence and Security Services
CPP	Communist Party of the Philippines
CSPAG	Commission Security Policy Advisory Group
CTG	Counter Terrorist Group
CT Infobox	Counter-terrorism Infobox
CVIN	Netherlands Joint Intelligence Committee
CvT	Supervisory Committee
DAD	Departmental Audit Department
DGMOS	Directorate-general Management Public Sector
DHKP/C	Revolutionary People's Party/Front
ESA	European Space Agency
ESTEC	European Space Research and Technology Centre
ETA	Euskadi Ta Askatasuna
EU	European Union
EVRM	ECHR
FIOD-ECD	Fiscal Intelligence and Investigation Service - Economic Investigation Service
GCT	Joint Counter-terrorism Committee
GICM	Groupe Islamique Combattant Marocain
HUT	Hizb-ut-Tahrir
IAEA	International Atomic Energy Agency
ICC	International Criminal Court
ICTY	International Criminal Tribunal for the former Yugoslavia
IND	Immigration and Naturalisation Service
ITT	Intangible Technology Transfer
KLPD	National Police Agency

KMar	Royal Netherlands Military Constabulary
KSA	Royal Saudi Arabia
LRA	Lord Resistance Army
LVF	Loyalist Volunteer Force
MEC	Middle Europe Conference
Mepia	Integrity Violations Reporting Centre
MIVD	Defence Intelligence and Security Service
Minister voor V&I	Minister of Aliens Affairs and Integration
MKO	Mujahedin-e Khalq Organization
MWO	Staff Appraisal Survey
NA	National Alliance
NATO	North Atlantic Treaty Organisation
NCTb	National Counter-terrorism Coordinator
NISF	Netherlands International Security Forum
NOS	NATO Office of Security
NPA	New People's Army
NSA	National Security Authority
NSCIB	Dutch System of Certification for IT Security
NVU	Dutch People's Union
OM	Public Prosecutions Department
OVSE	Organisation for Security and Cooperation in Europe
PIRA	Provisional Irish Republican Army
PKK	Kurdistan Workers Party
PSI	Proliferation Security Initiative
PWD	Patriotic Democratic Party
RDW	Government Road Transport Agency
RID	Regional Intelligence Service
RIRA	Real Irish Republican Army
RMS	Republic of the South Moluccas
RNV	Council for National Security
RPE	Regulation Performance Information and Evaluation Survey Central Government
RvD	Respect for Animals
SEALS	Militant Ecological Anarchist Living Shield
SG	Secretary-general
SHAC	Stop Huntingdon Animal Cruelty
SIM	Solidarity with Iranian People Foundation
SitCen	Joint Situation Center
SMV	Foundation for Human Rights Friends
TAK	Kurdistan Freedom Falcons
TNO	Netherlands Organisation for Applied Scientific Research
UVF	Ulster Volunteer Force
VDA	Security Service of Aruba
VGB	Certificate of no objection
Vir-bi	Security of Information Regulation for the Government Service - Special Information
UK	United Kingdom
VN	United Nations
VNA	Security Service of the Netherlands Antilles
VR	Security Council

US	United States
VO	Security investigation
VoVo	Provisional arrangements
WBI	Working Group on Special Information Security
Wiv 2002	Intelligence and Security Services Act 2002
Wvo	Security Investigations Act

1 **Developments relating to national security**

As in previous years, the General Intelligence and Security Service (AIVD) regularly found itself in the focus of political and media attention in 2005. The service does not shun this attention; after all, a broad political and social basis is a prerequisite for its right to exist as well as for the proper performance of its statutory tasks. This annual report provides an overview of the various fields in which the AIVD is active and describes the AIVD's activities in these fields in 2005. The annual report also looks back on the major developments of the past year in the field of national security.

1.1 **Investigation into unknown threats and risks**

The core of the AIVD's statutory tasks consists of timely recognising threats and risks to national security that are not immediately visible. For this purpose the AIVD conducts investigations both in the Netherlands and abroad. In 2005 there was an emphasis on making visible security risks in the area of radicalisation processes and terrorism. It has become apparent that jihadist terrorism besides constituting an international threat, is increasingly a home-grown phenomenon. The strike power of Al-Qaeda's international network has decreased strongly since 2001. Today, Al-Qaeda has become primarily an ideology for international and local networks of radical Muslims prepared to use violence against Western society. The July 2005 attacks in London provided a terrifying illustration of the fact that the threat posed by such networks is very realistic. In 2005 the Netherlands found itself faced with the threat of attacks several times as well. For example, on 14 October 2005 seven suspects were arrested on the suspicion of preparing attacks. In response to this additional security measures were taken with regard to the Binnenhof (the Dutch Parliament buildings), several government buildings and a number of politicians.

In 2005 the AIVD identified several of these networks in the Netherlands. These networks are the result of, among other things, radicalisation and recruitment processes among young Muslims. Group pressure within groups of young Muslims of the second and third generation is a major factor in the radicalisation process. The internet plays a crucial role in the formation of (virtual) communities and the dissemination of jihadist ideas. Via internet pieces of Koranic texts are taken from their context and accompanied by an extremist interpretation and subsequently exchanged and presented as the 'true Islam'. This way radicalising youths create their 'own Islam', which has little in common with the religion as it is adhered to by the majority of Muslims. Some of them condemn individual unbelievers. It is notable in this context that they focus mainly on the domestic situation. Rather than selecting random passers-by as targets, as was the case with the attacks in London in July 2005, they concentrate primarily on politicians, administrators and government agencies. However, the danger of internationally-oriented terrorism is still realistic. Jihadist networks are characterised by their fluid nature and international contacts. International jihadist networks, for example, often provide support to jihadists who wish to travel from Europe to Iraq.

Other kinds of radicalisation that do not lead to jihadism may also pose a threat to national security. For example, extreme isolationism can result in severe inter-ethnic tensions, parallel societies and the non-acceptance of Dutch law. The AIVD has also established that security risks in this context are less restricted to a particular time and place than used to be the case. In various societies within and outside Europe there are forces and emotions lying beneath the

surface that in some cases need only little to be triggered. In 2005 the death of two boys in a Paris suburb resulted in persistent riots in the whole of France. Another example is the publication of cartoons in Denmark in 2005, which in 2006 led to vehement responses and commotion in various countries. The question is justified whether the Netherlands should take into account these kinds of heated reactions. Although in 2005 the AIVD focused in particular on investigations into radicalisation and terrorism, its actual field of activity is much broader. The AIVD's efforts in the area of investigations into non-jihadist terrorist groups, into left-wing and right-wing extremism and into animal rights activism continued. In 2005 the AIVD also made an effort to increase awareness at organisations, both government bodies and within the business community, regarding the risks posed by foreign intelligence agencies. The AIVD found this awareness to have decreased over the past years and as such to constitute a considerable security risk, because various foreign intelligence services are covertly active in many fields in the Netherlands.

In its investigations in respect of other countries the AIVD focused not only on international terrorism, but also on countries in which political, ethnic or religious tensions may pose a threat to international stability or the legal order. Furthermore, the AIVD (partly) in cooperation with the MIVD conducted an investigation into the proliferation of weapons of mass destruction. States working on the development of weapons of mass destruction and/or ballistic missiles, share knowledge, technology and procurement networks. This observation confirms the necessity of continuing to obtain intelligence on the programmes of such countries. This way the AIVD can support the Dutch non-proliferation and export monitoring policy and as much as possible provide the business community and scientists with information to reduce the danger of proliferation.

Finally, we should mention the field of activity concerning the promotion of security. The AIVD advises government bodies, international organisations established in the Netherlands, the police and the business community on, for example, security risks and possible measures to be taken in this context, and conducts investigations into candidates for positions involving confidentiality.

1.2 Sharing knowledge and information

The AIVD plays its own role within a network of government agencies responsible for protecting national and international security. In the past few years the subject of national security has become much more important and thus also the number of participants involved. It is the AIVD's aim to provide the participants with timely and adequate knowledge and information.

Newly-supplied knowledge and information can serve as a basis for adjusting existing policy or the preparation of new policy. Late 2004 the AIVD pointed out in the memorandum 'From Dawa to Jihad' that differentiated and multidisciplinary measures were required. In 2005 the AIVD, based on its role as the provider of information, was involved in the development of these measures. This took place together with parts of central government, as well as with local and provincial authorities, and with moderate forces within the Muslim community. It is a hopeful sign that moderate forces within the Muslim community are already making a careful start in counteracting extremist Muslims.

Information from the AIVD can also prompt any partners with which the AIVD cooperates to take action themselves. In 2005 arrests were made in connection with the so-called Hofstad

group based partly on official messages from the AIVD. The identified part of the threat posed by jihadist terrorism in the Netherlands consists roughly of several hundreds of persons who have expressed their willingness (in words and actions) to actively take part in (supporting) the violent jihad. Most of these extremists are members of networks known to the police and/or AIVD. The AIVD makes agreements with other institutions so that these 'known' persons can be monitored in some way and any security risks can be timely identified.

Another example in which the AIVD specifically shares knowledge and information, is the sphere of activity referred to above; the promotion of security. In 2005 the AIVD advised sections within government, the business community and international organisations in the Netherlands on security risks and possible measures to be taken. This concerned for example measures and equipment to secure information, but also support in conducting risk analyses of vital infrastructure in the Netherlands. Within the context of the guarding and protecting system the AIVD submitted hundreds of reports of threats and threat assessments concerning persons, objects and services to the National Counter-terrorism Co-ordinator (Dutch abbreviation: NCTb). In addition, the AIVD took on more than ten thousand security clearance investigations within the context of positions involving confidentiality with for example the central government and the police. The number of A-category security clearance investigations increased by 41 percent compared with 2004.

1.3 The AIVD's own specific role

Within the network of government organisations responsible for national and international security, the AIVD has its own highly specific role. The AIVD carries out its statutory tasks under the direction and political responsibility of the Minister of the Interior and Kingdom Relations. Within the AIVD's further positioning within this network, the recommendations of the Administrative Evaluation Committee for the AIVD and the Working Group Provision of Information - Mayors constitute important guidelines.

The AIVD supplies information and knowledge to others in order to enable them to reduce the risks and threats identified by the AIVD. In collecting, refining and sharing the information the AIVD acts independently and objectively. The AIVD warns and points out, but is not an investigative service in the ordinary sense. When the AIVD for example refers to a 'network' or an 'organisation' this is not in the context of criminal law, but in the context of the investigation into threats and risks that are not immediately visible. The AIVD is permitted to use means of intelligence to obtain intelligence that is inaccessible to other parties. Terrorism and radicalisation processes will also remain priorities of the AIVD in 2006. These areas continue to require a broad approach. The AIVD will perform its statutory tasks in this context and thus continue to contribute to making the Netherlands a safer country.

In addition, in the coming year the AIVD will further invest in the guarding and protecting system and the foreign intelligence task (including the proliferation of weapons of mass destruction). Moreover, the AIVD will implement a far-reaching organisational development programme. Within the context of this programme the AIVD employed a large number of new staff members in 2005. This expansion will continue up to and including 2008. In the coming years the development programme will contribute to enable the AIVD to remain an effective and watchful agency, also in a rapidly changing environment and threat context.

2 Terrorism

2.1 Jihadist terrorism

The year 2005 showed a confirmation of developments that started in 2004. The most significant development was that local jihadist cells and networks played an increasingly large role in the current terrorist threat in Europe. The attacks of 7 July and the failed attacks of 21 July in London showed that 'ordinary' British citizens of Pakistani, Jamaican and Somali origin were capable of preparing and carrying out deadly attacks. Also in the Netherlands the development of a home-grown, strongly locally-oriented, bottom-up instigated, and in particular self-inspired jihadism continued. On 14 October seven persons were arrested, most of whom grew up in the Netherlands, suspected of preparing attacks on the Second Chamber and the building of the AIVD. Furthermore, it became apparent that the struggle in Iraq is still a major motivating factor for radical Muslims to participate in the jihad, sometimes in the form of travelling to Iraq itself. Samir A., for example, in his video testament specifically referred to the fate of suppressed brothers in for example Iraq, Afghanistan and Palestine, and Mohammed Sidique Khan, the presumed leader of the suicide attacks in London on 7 July 2005, in his message recorded on cassette tape indirectly alluded to the role of the United Kingdom and the United States in Iraq when he referred to the bombardments, the taking of prisoners and the torturing of his brothers and other crimes committed against them.

International networks of jihad veterans also continue to play a role in both facilitating and recruiting Muslims to participate in jihad. The military action in Iraq is seen by radical Muslims in general and jihadist terrorists in particular as a war against Islam, which is not only being waged or supported by the West in Iraq, but also in for example Afghanistan, Kashmir, Chechnya. Because in the perception of these radicals the West is waging war against Muslims, they consider it justified to hit Western countries with attacks. They do not consider their actions as terrorist acts, but as acts of war, in which context it makes no difference whether civilians or soldiers are hit. In such a war each Westerner is perceived to be guilty of what is being done to Muslims anywhere in the world and therefore each Westerner is seen as a legitimate target. A country that in the perception of radical Muslims actively contributes to the fight in for example Iraq or Afghanistan, may have a higher profile, which may in turn increase the risk of jihadist attacks.

2.1.1 International developments

The attacks in London of 7 and 21 July 2005 reaffirmed that also extremist Muslims raised in Europe are willing to, and capable of, using violence against their own society and state. This development was first seen in 2004 with the attacks in Madrid. What the attacks in both Madrid and London make clear is that Europe is to be considered a theatre of war, where the threat of attacks will remain substantial for a longer period of time. An important parallel between the attacks in Madrid and London, is that for the perpetrators of the attacks the participation of Spain and the United Kingdom in the Iraq mission played a major role in the (public) justification of their deed. This way the situation in Iraq continues to be a motivating factor for jihadists. In 2005 there were for example young radical Muslims who travelled from Europe to Iraq to fight in the jihad against the 'unbelievers'. The risk of fighters who fought in Iraq and subsequently travel to Europe remains realistic, but as yet has not been witnessed on a large scale. However, this remains a subject of concern. There is the risk, as there was several

times during the previous years, of jihad veterans travelling to Europe and linking up with radical youths in order to help them in their capacity of experienced fighters in their fight for the defence of Islam against the 'hostile' West, both in the Netherlands and abroad.

Many-branched international jihadist networks, which often act as a channel along which jihadists travel from Europe to Iraq, play an important role in facilitating jihad within and outside Europe. At the same time these networks are involved in recruiting new volunteers among radical Muslims, or providing support such as offering (temporary) accommodation to sympathisers and supplying false travel or identity papers or money. The efforts of these international networks currently appear to be primarily focused on supporting the struggle in Iraq and less on committing attacks in Europe. International networks consist of, for example, persons who in the 1980s and 1990s fought in Afghanistan and are now residing in Europe. The mutual ties between such jihad veterans are still close. Partly they are (or were) related to or inspired by Al-Qaeda or other affiliated groups or networks. These networks are characterised by informal structures, in which there is hardly any room for hierarchic relations. However, within such a network certain individuals may play a central and sometimes even coordinating role, but usually there is no clear, immediate steering from a central point in such networks.

That the West is the target of attacks was affirmed by the attacks on Bali on 1 October 2005, most of the victims of which were Western tourists. Also these acts were seen by those responsible as acts of war instead of terrorist acts. The attacks were claimed by Jemaah Islamiyah, the terrorist organisation that still poses the greatest threat in Indonesia.

2.1.2 National developments

In the Netherlands there are several local networks active, varying in number and size, consisting of second or third generation immigrants, who radicalise here and develop into potential jihadists. They are clearly focused on the domestic situation. As has become apparent from the activities of (members of) the Hofstad group, they concentrate specifically on politicians, administrators, and government and political institutions. This specific selection of targets is in marked contrast with the perpetrators of the attacks in London, who targeted random passers-by and passengers. In 2004 the AIVD observed a similar contrast between on the one hand the selection of targets by the local cell that committed the attacks in Madrid and on the other hand the attack on Mr Van Gogh. Whereas in Madrid the attacks targeted random passers-by, in Amsterdam the attack targeted a specific person who had been branded as an enemy of Islam.

The most recent development is the role played by modern information and communication technology in the development of the jihadist terrorist threat. The internet has become one of the most prominent catalysts of independent radicalisation processes and recruitment among (often very young) Muslims. These are largely autonomous processes, in which Muslims radicalise themselves and offer themselves as fighters for Islam. These processes can be described as 'bottom-up'. They constitute a complement to processes of radicalisation and recruitment, identified earlier by the AIVD, by active preachers and recruiters, which can be characterised as 'top-down' processes.

The radical and extremist messages disseminated via the internet have both an inspiring and mobilising effect on local jihadist networks and individuals in Europe. In addition, the use of the internet promotes and accelerates the establishment of jihadist networks, and serves as a

source of information on terrorist methods and the self-production of explosives. Despite a focus on the domestic situation the international jihad also continues to hold the fascination of Muslim extremists residing in the Netherlands and still exerts an attraction on young Muslims raised in the Netherlands.

In 2005 the AIVD issued official messages regarding several persons to the Immigration and Naturalisation Service (IND). Based on the Aliens Act 2000 and the Netherlands Nationality Act the IND can refuse or revoke residence permits or requests for naturalisation if there are any indications that a person poses a threat to national security. The IND declares these persons undesirable aliens and, if considered necessary, places them in a detention centre awaiting deportation.

2.1.2.1 Hofstad network

In mid-October 2005, partly on the basis of official messages from the AIVD, seven suspects belonging to the Hofstad network were arrested on the suspicion of preparing attacks. The developments surrounding the Hofstad network have resulted in tightened security of, for example, the building of the AIVD and to temporary and more permanent security surrounding several politicians. The Hofstad network is characterised by its fluid nature, in which roles, positions and members regularly alternate with one another. A hierarchic structure is lacking. Nevertheless, at certain times specific persons take on a more or less steering role. In 2004 in particular the Syrian cleric Abu Khaled played a major role in the network's ideological and religious development. After Abu Khaled fled the country, other radical Muslims within the network took on a more prominent role in the ideological and religious field. In several cases the mutual social control can result in peer pressure or intimidation regarding (candidate) members. Marriages are arranged, persons linked to one another and members are incited to carry out support activities for the network. Coercion and intimidation while invoking a specific radical interpretation of Islam are not eschewed in order to discourage deviating behaviour within the network.

The texts circulating among the network's adherents and suspects, the documents of for example Mohammed B., the internet traffic of the network's adherents and members, and last wills found, show that the religious ideas of the Hofstad network are inspired by the ideology of Takfir Wal Hijra. This movement is located in the ultra-extremist, violent part of the Islamist spectrum. Its destructive ideology pursues explicit political objectives by focusing on the destruction of the existing political and social structures, which are to be replaced by pure Islamic structures. Apart from the fact that this ideology tends to think in large structures, the use of violence against persons considered as unbelievers or renegades is justified according to the ideology.

We discern a new trend in that several members of the Hofstad network in their ideas are strongly influenced by radical views on the internet and/or of imams or unofficial radical preachers. Usually they lack a solid knowledge of Islam, compiling their own version of Islam based on out-of-context Koran texts and an extremist interpretation of these texts which they designate as the truth. This can be referred to as a 'cut-and-paste' Islam. A more balanced interpretation of Islam does not fit into the image these circles have of Islam. Members of the Hofstad network also use the internet as a forum on which to exchange their ideas and thoughts, and to convince others of the 'true Islam'. Sometimes they manage to convince others to join the network. This way individuals such as Mohammed B. can give other young Muslims the impression of having an extensive knowledge of Islam, whereas in fact this mainly consists of an individually composed belief that is far removed from the belief as adhered to by a large majority of Muslims in the Netherlands and elsewhere in the world.

The Hofstad network consists mainly of young persons who have adopted radical views in the Netherlands and who were raised and are residing in the Netherlands. Contacts with like-minded persons via for example the internet, lectures and meetings in private dwellings strongly contribute to their radicalisation. Although the network largely operates locally and autonomously, several members maintain contact with radical Islamic persons abroad. Also, in several instances in the Netherlands persons of foreign origin with important contacts in radical Islamist circles have played a role that should not be underestimated. The Hofstad network appears to focus primarily on specific targets in the Netherlands. However, it has been established that members of the network are willing to support the international jihad. In this context we need to consider that they will make attempts to travel to countries such as Iraq and Chechnya for this purpose.

Increasingly the new members of the Hofstad network are young female Muslims. Radical female Muslims are increasingly coming to the fore within the Hofstad network. Besides the Hofstad network there are more jihadist networks known to the AIVD in the Netherlands, both internationally-oriented networks, international networks and local autonomous networks of radicalised Dutch Muslims. Some groups only consist of a few persons, but others may involve up to several dozen persons. Members of these networks have expressed in words and behaviour their willingness to actively participate in (the support of) the violent jihad. Within these networks there is usually no steering from above, but sometimes there is a form of informal ideological or religious leadership. Besides these known networks we have to take into account networks and individuals which/who so far have not surfaced in AIVD investigations. The AIVD is therefore concentrating on identifying these networks and making them visible.

The local jihadist networks do not focus exclusively on the national situation. Also within these networks there are international contacts and there is a willingness of some members to actively participate in the jihad, for example in Iraq, Chechnya or Pakistan. The AIVD has discovered contacts between individuals active in local networks and individuals belonging to international networks. Recruitment by these networks among locally active radical youths is therefore quite likely, because international networks are still active in the Netherlands at the moment.

2.1.2.2 Groupe Islamique Combattant Marocain

The year 2005 witnessed a continuation of terrorist activities linked to the Groupe Islamique Combattant Marocain (GICM). This Moroccan Salafist and jihadist organisation was formed in the 1990s by Moroccan veterans of the war in Afghanistan. Partly because of the international efforts of intelligence and security services, and judicial investigations, the original structure and staffing of the organisation has altered substantially. The organisation appears to have become more decentralised and to now consist of loose cells. Nevertheless, the media, when reporting on arrests, attacks and other incidents involving Moroccan persons, frequently refer to the steering role played by GICM in these contexts. However, this assumption cannot be substantiated on the basis of recent experience. It does appear, however, that in 2005 the GICM made an attempt to again combine forces. In doing so the GICM explicitly sought to cooperate with other internationally active networks and local cells.

From an ideological perspective the GICM sides with the ideas of Al-Qaeda. In this context the GICM focuses on both the jihad in Iraq and attacks in the West and Morocco. It cannot be ruled out that networks or persons in or from the Netherlands may be involved in this now or in the future.

2.2 Other terrorist groups

2.2.1 Revolutionary People's Party/Front

The Turkish left-wing extremist and terrorist Revolutionary People's Party/Front (DHKP/C) in the Netherlands appears to not yet have recovered from the police raids carried out in April 2004. Although sympathisers in the Netherlands remain active, they have been unable to expand their basis of support or activities. Many of these activities are focused on hunger strikers and prisoners in Turkish prisons. In the Netherlands the sympathisers remain set on a non-violent course. The DHKP/C's annual cultural event went by without any problems in 2005. The sympathisers appear to be increasingly interested in the cultural aspects of the event, including the bands, and less and less interested in the political message of the DHKP/C.

In July 2005 the DHKP/C made the news in Turkey after a man who allegedly intended to commit an attack using explosives on the Turkish minister Çiçek, was shot outside the Turkish Ministry of Justice. The man, who carried false papers, was later identified as a wanted member of the DHKP/C.

2.2.2 Kongra-Gel and the reformation of the PKK

In the annual report 2004 it was reported that following a period of protracted discord within the leadership of the People's Congress of Kurdistan (Kongra-Gel), a majority had decided to follow a hard line. At the time this majority announced that they would continue under the name of PKK, a name familiar to the Kurds. Consequently, on 4 April 2005 the Commission for the Re-formation of the PKK announced reforms, directed at ending the period of division and increasing the organisation's readiness for combat and mobilising capacity. However, the reformed PKK was not to take the place of Kongra-Gel, which was to continue as a pan-Kurdish movement of which the new PKK formed a part. With these events the internal disagreements concerning the organisation's course have been settled in favour of the dominant old PKK faction which advocates a hard line. The moderate minority, united under the leadership of Abdullah Öcalan's brother Osman Öcalan to form the Patriotic Democratic Party (PWD), has so far shown little success.

In 2005 violence flared up again in south-eastern Turkey. The fact that during a speech made on 12 August, the Turkish Prime Minister Erdogan made overtures to the Kurds in Turkey is apparently viewed by PKK circles in the Netherlands as a direct consequence of the successful resumption of armed conflict. On 19 August, possibly in response to Prime Minister Erdogan's speech, the PKK declared a unilateral ceasefire of one month's duration. Later the PKK announced that the period would be extended until 3 October, the date EU negotiations with Turkey on Turkish accession to the EU were due to begin. It seems unlikely that the conflict in south-eastern Turkey will spread beyond the country. So far, the violence in Turkey has not led to any specific campaigns in the Netherlands. In January 2005 the Dutch court ruled that the former PKK member Nuriye Kesbir could not be extradited to Turkey. This created an unclear situation whereby on the one hand she had no valid residency status in the Netherlands, while at the same time she could not be deported. Meanwhile she remained politically active and addressed various meetings of the PKK. It has since become known that Nuriye Kesbir left the Netherlands on 9 February 2006.

In November 2004 a number of Kurds were arrested during police raids of several premises including a farmyard campsite in Liempde where a political-ideological training camp had been organised. Eighteen of them were charged with suspected involvement in terrorism, however all charges have since been dropped due to lack of evidence.

In the summer of 2005 a wave of attacks took place, targeting the tourist sector and economic interests in Turkey. These attacks resulted in a number of casualties, including fatalities. Responsibility for some of these attacks was claimed by the Kurdistan Freedom Falcons (TAK), a militant Kurdish organisation that also targeted the tourist sector in an attack in August 2004. The Turkish authorities consider the TAK to be a part of the PKK.

2.2.3 ETA

The Spanish separatist movement, Euskadi Ta Askatasuna (ETA) campaigns in Spain for the autonomy of the Basque country. The ETA's violent campaigns do not exclusively target the Spanish authorities, but also include for example the country's infrastructure and the tourist sector. In recent years ETA's violent operations have been restricted to Spain. True to tradition, in 2005 the ETA sent threatening letters to various organisations outside of Spain - including tour operators in the Netherlands - threatening attacks against the Spanish tourist sector. During the past few years there were many arrests in Spain and France as a result of which the ETA has been considerably weakened. Nevertheless, in 2005 various bomb attacks took place in Spain, demonstrating that the ETA still possesses striking capability. As far as the complete picture is concerned, it should be noted that this annual report is only concerned with developments in 2005. For this reason, this report does not contain any information about the ceasefire proclaimed by the ETA in March 2006.

2.2.4 Irish and Northern Irish terrorist organisations

In the Northern Irish conflict, in which the republicans seek unification with the Irish Republic while the loyalists wish to remain part of the United Kingdom, the disarmament of the Provisional Irish Republican Army (PIRA) in September 2005 formed an unprecedented step in the peace process. It would seem that this has put an end to the terrorist threat posed by the PIRA.

This is not the case with the Real IRA (RIRA), an organisation that split off from PIRA. The RIRA did not sign the 1998 peace accord (Good Friday Agreement) and thus still poses a real threat in the Northern Ireland conflict. The RIRA has been responsible for acts of violence in the United Kingdom, primarily organised from Ireland. The activities of the loyalist organisations in Northern Ireland are characterised by internal violence, with the feuding between the Loyalist Volunteer Force (LVF) and the Ulster Volunteer Force (UVF) being the most notorious instance, having resulted in at least five fatalities.

2.2.5 Communist Party of the Philippines/New People's Army

On 18 October 2005 the Communist Party of the Philippines (CPP) was placed on the EU list of terrorist persons and organisation, following which the organisation's financial assets have been frozen. Both its armed wing, the New People's Army (NPA), and the CPP's leader residing in the Netherlands had already been placed on this list in 2002. Partly on the basis of an official message by the former BVD in 1993, the CPP/NPA leader was refused both refugee status and a residence permit for the Netherlands.

The year 2005 saw an intensification of the conflict between the Philippine authorities and the CPP/NPA. According to official Philippine statistics, 1810 NPA members and 458 Philippine soldiers were killed in attacks and armed confrontations. In addition, a large number of political assassinations took place, the victims being CPP/NPA supporters as well as former CPP/NPA supporters who had defected to the side of the government. In the meantime, peace negotiations between the Philippine government and the CPP/NPA have come to a standstill. In October 2005 the Philippine government rescinded the immunity for a large number of delegation members who had represented the CPP/NPA in the negotiations. This decision came about as a result of growing dissatisfaction fuelled by the lack of concrete results and also because of the increasing number of attacks committed by the NPA.

2.3 CBRN terrorism

In the past year there were no incidents relating to CBRN¹ terrorism in the Netherlands. Also in the countries surrounding us the number of incidents possibly related to CBRN terrorism was very small. Nevertheless it is important to stay vigilant, because a non-conventional attack in Europe certainly cannot be ruled out. The AIVD assesses that if a non-conventional attack is to take place in the Netherlands or in Europe, this will probably be a small-scale attack. Small-scale in the sense of the means used, the resulting damage and number of casualties, but at the same time large-scale and disproportional in the sense of its disruptive effect on society.

2.4 Financial investigation

Partly in order to detect and combat terrorist networks and radical groups, the AIVD conducts financial investigations. Terrorist networks and radical groups make use of a large range of methods to finance their activities. In order to obtain and maintain insight into these methods the AIVD is further expanding and developing its financial investigations.

The AIVD's efforts relating to the UN and EU freeze lists are focused on the identification of asset holders mentioned in these freeze lists. Financial institutions to that end give the AIVD the names of the asset holders registered in their records. In 2005 none of these asset holders proved to be identical to persons or organisations on the freeze list.

2.5 Migration and terrorism

Members of terrorist networks use all kinds of migration channels in order to travel internationally. Sometimes regular channels are used (a regular application for residence or a visa), sometimes illegal means are used to enter the Netherlands. And sometimes various migration channels are used in combination; if one method fails, another is often tried. The AIVD as best as possible monitors the inflow, transit and outflow of persons who constitute a risk to national security.

The AIVD has intensified its investigation into the international travel movements of (potential) terrorists. Based on an analysis of the AIVD's own subjects of investigation, information from foreign intelligence services and experience of the bodies responsible for aliens policy, risk indications have been developed. Because of the dynamic nature of the modus operandi of jihadist networks this is a continuous process, making risk indications prone to change. The bodies involved are enabled to be alert to signals that may point to persons linked to terrorism. Collaborating with organisations from the 'aliens chain' remains crucial in this context. For this purpose the AIVD has organised presentations for staff

¹ CBRN is the abbreviation of Chemical, Biological, Radiological and Nuclear. In order to be more in line with internationally current terminology as from 2006 the AIVD will use the abbreviation CBRN instead of the abbreviation NBCR formerly used.

members of the Immigration and Naturalisation Service, the Ministry of Foreign Affairs, the Royal Netherlands Military Constabulary and the police.

3 Radicalisation

3.1 Radicalisation processes

In the memorandum published in December 2003 'From Dawa to Jihad', the AIVD presented a model that may be useful in interpreting the various forms of radicalisation within segments of the Muslim communities in the Netherlands. In 2005 an investigation was conducted, based on the finding that there were different forms of radicalisation processes involving a variety of threats and risks. The investigation by the AIVD included radicalisation processes that might lead to terrorist action, on the one hand, and on the other hand other forms of radicalisation processes which might pose a threat to the democratic legal order and national security. The latter may include for example tendencies of extreme isolationism in combination with intolerance and in some cases even taking the law into one's own hands (putting own laws before Dutch laws). Such intolerant isolationism can lead to suppression of those considered to belong to the own community, and to polarisation and inter-ethnic tensions between population groups.

With the memorandum 'From Dawa to Jihad' the AIVD has contributed to concrete policy initiatives being developed, both nationally and internationally. Combating and pushing back the various forms of radicalisation requires differentiated and multidisciplinary countermeasures. In 2005 the AIVD in its role as provider of insight into the phenomenon of radicalisation at national level, was involved in the development of these countermeasures. This was done together with various parts of national government, but also with the local and provincial authorities, the social midfield and moderate forces within the Muslim communities.

In 2005 the AIVD together with among others the Minister of Alien Affairs and Integration, the National Police Agency (KLPD), the Immigration and Naturalisation Service (IND) and the Ministry of Finance, participated in a number of multidisciplinary projects under the direction of the NCTb. These projects are aimed at changing and disrupting radicalisation processes within a number of hotbeds of local radicalisation through administrative measures. The AIVD is involved in initiatives aimed at the prevention of radicalisation processes, such as described among others in letters to the Second Chamber, the memorandum 'Resistance and Integration policy' from the Minister of Alien Affairs and Integration, and the memorandum 'Radicalism and Radicalisation' from the Minister of Justice. The AIVD also advised the local government, directly or indirectly (via the regional intelligence services) on specific radicalisation hotbeds within their respective municipal borders. The AIVD played an advisory role in initiatives of local authorities to set up their own information system, aimed at timely recognising and pushing back radicalisation processes.

The AIVD shared knowledge about and insight into the phenomenon of radicalisation with interested parties. The AIVD delivered lectures and presentations to prison workers, the school inspectorate and police officers in order for these groups to be able to recognise any signs of radicalisation in as early a stage as possible.

3.2 Riots in France

Late 2005 the death of two boys in one of the suburbs of Paris resulted in persistent riots across France. Although one of the French rioters had a Muslim background which he also expressed in some way or another during the riots (for example by shouting 'Allahu Akbar' when committing acts of violence), religion does not seem to have played a decisive role in the motivation to use violence. At the time of the riots various French Muslim organisations called on youngsters to remain calm. The AIVD emphasised that the situation in the French suburbs was not immediately comparable to the situation in Dutch major cities. Nevertheless, feelings of dissatisfaction do exist in the Netherlands. It cannot be ruled out that here, too, individuals may be inspired to express similar emotions.

3.3 The Iranian community in the Netherlands

Since May 2002 the Iranian opposition movement Mujahedin-e Khalq Organisation (MKO) has been included on the list of terrorist organisations of the European Union. For more than twenty years the MKO has been violently opposed Iran from Iraqi territory. This armed conflict was put to an end in 2003 with the invasion of Iraq. The MKO's activities in the Netherlands are currently limited to demonstrations and fundraising. As far as known, the MKO has never used violence on Dutch territory. For the fundraising the MKO deploys various umbrella organisations. Initially this was the Solidarity with Iranian People Foundation (SIM); currently the Foundation for Human Right Friends (SMV) and the foundation 'The Image of the Future' appear to be active. Fundraising has taken place under the pretext of humanitarian help to the Iranian people, but in reality are for the benefit of the MKO. The Anjoman-e Padeshahi (API) is an Iranian monarchist opposition group that pursues the restoration of the monarchy in Iran. The leader of the organisation is Fourod Fouladvand, who is based in London. On 10 March 2005 the API for the first time got publicity because it had occupied an airplane on the Brussels airport Zaventem. Later, the organisation manifested itself again with demonstrations before the European Parliament building in Brussels and before the Peace Palace in The Hague. The actions were intended to put pressure on the EU to distance itself from the Islamic regime in Iran. After the actions of the group in the spring of 2005 it became quiet around the API. In a message on his website in September 2005 Al Zaraqawi declared war on the Shiites. By doing so, he appeared to attempt to explicitly export the contrasts between the two groups which currently in Iraq are a source of many conflicts. The AIVD has not received any signals that Al Zaraqawi's call has resulted in great tensions between Sunnites and Shiites in the Netherlands.

3.4 Salafist centres in the Netherlands

The Netherlands has a small number of foundations and mosques with a Salafist persuasion. For many years, these propagated anti-integration views. These centres have a clear missionary make-up. Via so-called Dawa activities² they attempted to increase the Salafist influence within the Dutch Muslim community. The AIVD is investigating this Salafist Dawa because it has an intolerant isolationist and anti-Western nature that poses risks to the democratic legal order. The dissemination of Salafism from these centres takes place in preaches by imams, but also during (often private) religious educational sessions and conferences, or by dissemination of literature and audiovisual material, often by using new media such as the internet. These strongly anti-integration and anti-Western messages have contributed considerably to the radicalisation of some Muslim youngsters. Several of them eventually, after continued radicalisation outside of the immediate environment of their mosque, turned out to be susceptible for recruitment by the violent jihad or completely independently became inspired to take part in terrorist actions.

Imams and administrators of Salafist centres appear to be adopting a more moderate position. They make sure that these centres do not openly incite to the violent jihad. However, this change seems in particular the result of external pressure (media, national politics, local government and moderate Muslim organisations). How permanent and sincere this change actually is, is still to be seen. In practice it is often difficult for the administrators of these centres to counterbalance radical undercurrents. This stance can possibly be explained by the administrators' wish not to antagonise the persons who as a group form these radical undercurrents. There seems to be a continuous compromise between what fits into the framework of Dutch society and legislation on the one hand, and the loyalty towards the radical Salafist support on the other hand. The falling away of external pressure may lead to a relapse to radical messages expressed earlier. The same however can apply to implementing government measures that are experienced as 'unfair' by the Salafist centres.

Now that the imams and administrations of Salafist centres often distance themselves from radical and violent messages and increasingly attempt to supervise the Salafist centres, radical Muslims and recruiters more often meet in secrecy and act more covertly. By doing so this extremist variant of radicalisation is hidden from the immediate view of the Salafist centres. This, incidentally, does not imply that there is an absolute distinction between the Salafist centres and the radical undercurrents. The more radical and violence inclined Muslims were seen to also visit known Salafist centres. Therefore the AIVD will continue to pay unremitting attention to radicalisation processes in and around Salafist centres in the Netherlands.

3.5 The Turkish and Turkish-Kurd community in the Netherlands

The response from the Turkish community to the attacks of July 2005 in London were more or less the same as those following the murder of Mr Van Gogh in 2004. In addition to rejecting the attacks, collective responsibility for the attacks was also rejected, for the attacks were not committed by Turks. The Turkish community showed hardly any response to the arrests of several members of the Hofstad network on 14 October 2005.

3.5.1 Turkish radical Islamic networks, movements and organisations

The development of a radical Islamic ideology in a relatively limited part of the Turkish community in the Netherlands continues. Investigation has shown that there exists a multi-ethnic network of radical Islamic persons, part of which is made up of Turkish youngsters. Also in some Turkish mosques the radical Islamic message is disseminated, albeit not in freely accessible preaches, but during private sessions. On Turkish websites on the internet messages have been found that point to radical Islamic ideologies. In some cases the focus lies on politicians and opinion makers such as Ms Hirsi Ali or Mr Wilders, who because of their views in the debate on the Islam in the Netherlands are object of verbal abuse and vituperation. Although to date this concerns a relatively limited group of Turkish youngsters who feel attracted to radical Islam, the AIVD has found this to be on the increase.

In February 2005, the AIVD issued an official message on a teacher of religion who resided in the Netherlands illegally and who was active in the Iskender Pasa mosque in Rotterdam. The official message pointed to the fact that the person involved on account of his ideology posed a threat to the national security and besides, had no valid legal residency. In June 2005, after his appeal against deportation had been declared unfounded, he was definitively expelled to Turkey.

After the arrest, extradition and trial in Turkey of Metin Kaplan it has become quiet around the Kaplan movement. To date, they do not have a new leader. Certainly in the Netherlands, in numbers this movement has diminished and around the mosque in Oss, the only Kaplan centre in the Netherlands left, only a limited number of sympathisers remain active. After the initial conviction of Kaplan in Turkey, the Turkish court in appeal decided that there had been no fair trial and that (part of) it had to be done over again because procedural errors had been made. The Turkish community hardly responded to this apart from some indignation similar to the reaction to Kaplan's arrest in October 2004 and his extradition to Turkey.

After the attacks of July 2005 in London, the British government announced harsh measures against the British branch of the radical religious group Hizb-ut-Tahrir (HUT).

This meant a considerable change of direction for the British government, which previously considered the HUT as a political movement, albeit a movement with an extremist message. The plans of the British government hardly seem to have resulted in any response among HUT sympathisers and adherents in the Netherlands.

3.6 The Moroccan community in the Netherlands

The murder of Mr Van Gogh and its aftermath had a negative effect on mutual trust among Muslims, including parts of the Moroccan Muslim community, and non-Muslims in the Netherlands. In 2005 even more than in 2004, increasing social discontent existed among parts of the Muslim communities in the Netherlands. The incidents of arson at Islamic schools and mosques following the murder of Mr Van Gogh have resulted in the feeling among part of the Muslim community that part of the Dutch population have taken up a hostile position towards Muslims. Several measures and statements by the Dutch government, such as the dispatch of troops to Iraq and Afghanistan or looking into the possibility of banning the burka, were experienced by some parts of the Muslim communities as Dutch government policy aimed against all Muslims.

This social discontent within parts of the Muslim communities is usually not expressed in a direct way. Often the repercussion of an event is noticeable only after several months. The emotions involved in the social discontent can smoulder during a long period, also due to a lack of organisations that have a broad basis of support and could function as an outlet for such emotions, in particular of Moroccan youngsters. To second and third generation immigrants the Moroccan identity or ethnicity appears to be an insufficient binding factor for the existence of viable organisations. The Arab European League (AEL), for example, was unable to hold on to its initial success and the foundation of the Muslim Democratic Party, which in 2006 wished to take part in local elections, has not materialised.

3.6.1 Radicalisation

An increasing number of Moroccan youngsters is falling back on ultra-orthodox, non-traditionally Moroccan forms of Islam to express their own identity in the present climate of social discontent. Among these youngsters an own Islamic 'counterculture' is coming into existence. They are opposed to both the first generation Moroccans, and to Dutch society and the government. Many of them confine themselves to an ultra-orthodox way of living (as regard code of attire, behaviour between the sexes, et cetera). In some cases the choice for an own Islamic 'counter-culture' has led to further radicalisation, for example expressions of intolerance, wanting to take the law into one's own hands, in the context of which the Sharia is placed above the Dutch law, or even the willingness to commit (terrorist) violence. The AIVD is investigating this 'counter-culture' in several places where it emerges in our society. Whereas

the AIVD's investigation in the past focused in particular on radicalisation emanating from mosques, it is now aimed more at other hotbeds of radicalisation, such as the internet. The AIVD is for example investigating to what degree this medium constitutes a catalyst factor in the radicalisation process and the investigation into persons behind radical messages is being stepped up.

The low degree of organisation of the Moroccan community is also found in the area of radicalisation. Currently no formal organisations with an exclusive Moroccan background (such as political parties, associations) are visible in the area of radicalisation. The existing Moroccan organisations in the Netherlands are made up mostly of first generation immigrants with a traditionally Moroccan, moderate perception of the Islam. The AIVD has established that the more serious the radicalisation of a group is, the less inclined its members are to associate themselves in a formal organisation or to express themselves openly. When the level of radicalisation becomes more serious, the importance of ethnicity decreases. Ethnicity plays an indirect role via the social structure of networks of radical Muslims (who may know one another for example because they come from the same native region or are related to one another), but not in the ideology. The AIVD has established that converted indigenous Dutch people can radicalise as swiftly as people of Islamic origin. The radical networks have predominantly a multi-ethnic character, in which Moroccans play a considerable, but not exclusive or leading part.

Although a limited number of mosques in the Netherlands can be considered a platform for radical persons, as yet there is no evidence of any steering by administrative boards and imams of such mosques. The mosques are found in particular to be a place where (re)converted youngsters acquire knowledge about Islam. They prefer to go to mosques that have a programme in the Dutch language, especially aimed at young people. Currently these are in particular the Salafist mosques. When these youngsters are unable to identify themselves with the manner of preaching, they revert to a completely different, often more radical mosque, or turn to an ideology they feel attracted to. Across the Netherlands, often outside the mosques, lectures can be followed by preachers with a radical inclination. Also the internet offers undecided youngster a wealth of possibilities to compose their own ideology. This can create a 'cut-and-paste' type of Islam. As a result, radicalisation in the Netherlands is no longer confined to the major cities, but is spread across the country. A point of concern is the rapid pace with which this radicalisation process can develop among individual persons.

In 2004 the AIVD reported that incidents related to radicalisation at educational institutes had to be seen mainly as isolated expressions of discontent of Islamic youngsters on the one hand and Dutch society on the other hand, without there being any steering or direction from radical Islamic organisations. There are no indications that this situation has changed in the meantime. There are indications, however, that a number of primary schools associated with Salafist mosques, outside regular school hours and in addition to the official programme, provide lessons (such as religion and Arabic) to pass on radical Islamic views. Over the past period it transpired that the increasing presence in prisons of suspects of terrorism, recruiters and other persons with a background in radical Islam, in itself can be a risk to national security. The AIVD has for example established that Dutch prisons accommodate a potential group of recruits. It is noted in this context that recruitment in prisons is only one of the risks; other risks include the planning of new acts of violence with like-minded persons, or entering into relationships with criminals.

In a number of cases ultra-orthodox Muslims were seen to warn youngsters against the very extremist and violent ideology of the Takfir Wal Hijra doctrine, or even to succeed in easing away youngsters from this doctrine. Ultra-orthodox preachers have explicitly condemned attacks such as those on the London metro. In most cases however this does not mean that by doing so they are adopting a pro-Western view. There is only a very limited willingness to collaborate with or be seen as a partner of the Dutch government.

As a result of the increased interest by the government and the media, several radical imams have moderated the tone of their public statements. This, incidentally, has resulted in the more radical youngsters no longer seeing them as true interpreters of their religion.

3.7 The Moluccan community in the Netherlands

Undeniably the Moluccan community in the Netherlands continues to have a latent longing for a free Republic of the South Moluccas (RMS). The extent to which this longing is expressed partly depends on the situation on the Moluccas. In 2005 the activist part of the Moluccan community kept relatively quiet except for a violent incident in The Hague on the anniversary of the proclamation of the RMS. Furthermore, RMS supporters protested via a number of non-violent small-scale demonstrations against the detention of like-minded persons in Indonesia. Another subject that stirs the emotion of the Moluccan community is the (re)housing problem.

3.8 Other minorities in the Netherlands

In 2005 the AIVD continued its investigation into radicalisation tendencies within a number of smaller ethnic communities in Dutch society, including the Somalian, Afghan, Iraqi and Chechnian communities. The risk related to these communities is in particular found in the possibility that small parts link themselves up with radical Islamic ideology. There are indications that individual Somalis feel attracted to radical Islamic ideology. Somali people in the Netherlands are characterised as a group by their poor social position, by being poorly integrated into the Dutch culture and by an overrepresentation of youngsters. Over the past few years, a large part of the community has moved to the United Kingdom.

The social position and cultural integration of both Afghans and Iraqis in the Netherlands is distinctly better than that of the Somalian population. Although the conflicts in Afghanistan and Iraq are a source of inspiration to radical Muslims, this is less so for the inhabitants themselves of these countries residing in the Netherlands. It appears that Afghans and Iraqis wish to avoid political and religious controversies within their communities themselves and between the communities and Dutch society. The conviction in October 2005 of two former Afghan generals did not cause any noticeable stir among the Afghan community. The participation of the Iraqi community in the Netherlands to the referendum about the Iraqi Constitution in October 2005 and the following elections in December went off without any incidents.

The Chechnian conflict constitutes a source of inspiration to radical Islamic fighters of various ethnic origin in the Netherlands. The small Chechnian community in the Netherlands, however, does not play a role in the transfer of radical Islamic ideology and spokesmen confine themselves to giving information to the Dutch public about the Chechnian situation. The arrests of two Chechnians, however, showed that individual Chechnians in the Netherlands are prepared to become actively involved in radical Islam. Although from time to time tensions between Russians and Chechnians are reported, the Chechnians' willingness to act in the Netherlands appears to be limited: there were for example no protests during the visit of Putin to the Netherlands in November 2005.

4 Left-wing and right-wing extremism

4.1 Left-wing extremism

A characteristic of the year 2005 was the re-emergence in part of the sometime 'left-wing movement'. In particular antimilitarists and opponents of the aliens policy stirred themselves. In July 2005 the antiglobalisation movement spoke briefly: a few dozen Dutch persons were (mainly peacefully) present at protests against the G8 summit in Scotland. A new action group was set up under the name of 'Strijdbaar Ecologisch Anarchistisch Levend Schild' (Militant Ecological Anarchist Living Shield) (SEALS), an acronym for a group part of which dressed themselves as a seal. SEALS is opposed to the economic restructuring of the world. It is in the first place an antiglobalist group, but individuals within this group are also present at antifascist demonstrations. SEALS is the Dutch variant of the internationally operating White Overalls, and are characterised by their way of campaigning. During demonstrations they try to break through police cordons.

The antimilitarist movement opposed the aftermath of the war in Iraq, and in particular the presence of Dutch troops in Afghanistan. They organised several actions against this presence. At peaceful demonstrations they received support from the moderate peace movement. So-called 'direct' actions in the form of plastering and a trail of destruction took place during two large weapons fairs in the Amsterdam RAI. Also barracks premises were vandalised. The actions were a reaction to cabinet proposals to send troops to Afghanistan. Although the number of actions held is on the decrease, the existence of antimilitarism is not expected to end in 2006.

In 2005 antifascists attempted to prevent meetings of (extremist) right-wing groups. No distinction was made in this context between civil right-wing, extreme right-wing and right-wing extremist groups. As is common in the past few years, the disruption of the public order during large-scale manifestations came from the side of the antifascists rather than from their extreme right-wing opponents. Mid-May more than thirty antifascists were arrested in Arnhem during an action against a demonstration by the Nederlandse Volksunie (NVU).

The policy of the Minister of Aliens Affairs and Integration has led to several manifestations and violent incidents. At several 'deportation centres' peaceful demonstrations were held by concerned citizens. The municipality of Vught experienced actions against the proposed establishment of a deportation centre. Opponents of the asylum policy and antifascists attempted to influence political decision-making in this context. The culmination of all this was an attempt to commit arson in March 2005 at the town hall of Vught. Unidentified persons, who for the occasion had adorned themselves with the name 'No Borders', claimed the arson. The Minister of Aliens Affairs and Integration herself also experienced actions from solitary individuals. The minister was for example spat in the face by an animal rights activist. The fire at Schiphol-East caused a series of fierce protests across the country. Everywhere banners showing offensive texts were seen. Because the banners were removed by the police, the activists turned against local policymakers rather than against the minister herself.

Environmental activism, too, experienced a certain upsurge in 2005. Most notable was the return of the environmental movement 'GroenFront!' (Green Front). 'GroenFront!' occupied

the woods in Schinveld-Onderbanken in late 2005, on account of the proposed cutting down of trees in connection with the approach route for the Geilenkirchen air base in Germany. Up until the evacuation in the second week of January 2006, the occupation of the woods was characterised by its peaceful and non-violent nature; in line with the movement's reputation.

4.2 Animal rights activism

Actions in the context of animal welfare and in particular animal rights, increased in number and intensity in 2005. The first months of the year were marked by a large number of arson incidents against and sabotage of so-called hunting lodges, in particular at the Veluwe. The Biomedical Primate Research Centre (BPRC) established in Rijswijk was less beleaguered in 2005 than in previous years. There were however campaigns against ABN Amro, the house banker of BPRC, during the first months of the year. ABN Amro branches were plastered and cash dispensers destroyed.

Just as in 2004, there were three serious incidents of arson. Late January arson was committed at the company Covance. The branch of this company in Zeist sustained light damage. In addition in the autumn there were incidents of arson at McDonalds in Leeuwarden and Meppel. The latter arson was accompanied by the slogans 'ALF' and 'McMurder'.

In 2005 'Respect voor Dieren' (Respect for Animals; Dutch abbreviation: RvD) was the most conspicuous organisation. RvD was founded on 1 November 2004, on world veganism day, and pursues the full abolition of the use of animals, in whatever form. In the course of 2005 the RvD could increasingly be considered as the subsidiary of the British 'Stop Huntingdon Animal Cruelty' (SHAC). SHAC takes action against the animal testing laboratory Huntingdon Life Sciences. Initially RvD focused its actions against the fur industry, but it was not long before there were clear links with SHAC's agenda. Although to date no name change has been carried through, Respect for Animals is effectively the Dutch representative of SHAC. RvD organises demonstrations at companies on SHAC's target list that have business connections with Huntingdon Life Sciences. In particular company premises, but also the houses of company directors were beleaguered in various ways. In the course of 2005 SHAC started to rely more heavily on the Dutch branch.

4.3 Right-wing extremism

The murder of Mr Van Gogh on 2 November 2004 was decisive for the way in which right-wing extremism operated in the Netherlands in 2005. Following Mr Van Gogh's death, in right-wing extremist circles Muslims in the Netherlands and Islamic institutes such as mosques and Islamic schools, were acted against with renewed intensity, especially on right-wing internet forums. Rage and frustration dominated in the various responses. Rage towards the perpetrator, Muslims and the Islam in general and great dissatisfaction about the role of the government who put too much emphasis on the dialogue with Muslims. This dissatisfaction did not result in any radical actions against the authorities or members of government involved.

The picture that in particular people from non-organised extremist right-wing circles were prepared to take action against Muslims and Muslim institutes, was not confirmed. The murder of Mr Van Gogh stirred up the fire between so-called Lonsdale youth and immigrant youngsters, although confrontations between these groups of youngsters already took place before the murder. A fight between indigenous and immigrant youngsters at a mosque in Venray and the fire in the emergency building of an Islamic primary school in Uden in the

spring of 2005 were the immediate cause for the AIVD to start an investigation into Lonsdale youth. This showed that the threat to the democratic legal order posed by these non-organised, non-political youngsters, was relatively small. Attaching a right-wing extremist label to Lonsdale youth is generally inappropriate. Only a small part of them indeed have right-wing extremist views. The AIVD has established that a small number of Lonsdale youngsters maintain contact on an individual basis with persons from right-wing extremist circles. Also politicisation of a Lonsdale group was established in one or two cases. The role that right-wing extremists may play in the radicalisation of Lonsdale youth, however, calls for unremitting attention.

Although Lonsdale youth are not generally right-wing extremists, xenophobia, nationalism and frustrations regarding the 'multicultural' society are widely felt. These feelings often lie at the base of disruptions of the public order by these youngsters. The greatest threat to the Dutch democratic legal order is currently the existence of a broad social problem in the context of which, in an atmosphere of frustration about the Dutch 'multicultural' society, inter-ethnic confrontations are provoked both from the side of the immigrants and from the indigenous population. In the long term, persistent inter-ethnic confrontations may pose a threat to the cohesion in Dutch society. For neo-Nazis in the Netherlands the murder of Mr Van Gogh only resulted in very limited electoral gain. As regards the Nederlandse Volksunie (NVU) things remain relatively quiet. Only the decision-making regarding the entry of Turkey to the EU and the European constitution caused the NVU to act publicly. The 'Radical Volunteer Force', which split itself off from the NVU, remains limited in scope.

The ultranationalist parties and groups in the Netherlands appear to have a greater electoral reservoir than the neo-Nazi parties in the Netherlands. Many so-called Lonsdale youth recognise themselves in the frustrations of a party such as the 'Nationale Alliantie' (NA) about the 'multicultural' society. There was however no increase in the number of nationalist parties in the Netherlands. This is partly explained by the limited political motivation of these Lonsdale youth. On the other hand, the splintering appears to be a cause of the limited growth of right-wing extremist parties and groups.

This splintering resulted in the 'Nieuwe Nationale Partij' (New National Party) disbanding itself in February 2005 on account of the substantial exodus. The NA continues to be the most active ultranationalist party in the Netherlands that regularly manifests itself publicly. On 11 June 2005 the NA held a demonstration in Rotterdam against the construction of a Surinam mosque. The demonstration proceeded peacefully, but the NA was the focus of media attention when in June 2005 arson was committed in the old mosque. The NA publicly declared that it had nothing to do with the case. In the press and within antifascist circles accusations were expressed towards the NA. These increased following an arrest of a sympathiser of the NA, who after a police investigation was considered the main suspect. As a result of this several moderate NA members left the party, several prominent party leaders also withdrew their membership but continue to exercise influence behind the scenes.

During the celebrations of Liberation Day the nationalist group 'Voorpost', which usually expresses its ideas peacefully, made the news in a negative way. Right-wing youngsters who on Liberation Day of the previous year had caused disturbances, organised a party in Zoetermeer on 5 May. The private party proceeded without incidents. The media and antifascist organisations made much commotion because they believed Voorpost had organised the party. Although members of Voorpost were present, they had not organised the party.

5 **Unwelcome interference of foreign powers**

The AIVD investigation into foreign powers engaging in unwelcome intelligence activities in the Netherlands is not a subject that can be described in detail in a public report, with a view to the protection of the AIVD's current level of knowledge in this field. For this reason, this chapter simply gives some general information on the subject. The Netherlands' focal point as to interference from foreign powers is the protection of its national sovereignty. The AIVD's policy focuses mainly on identifying and preventing any impairment of national sovereignty as a result of covert activities of foreign powers. This clandestine foreign interference often also impairs other interests falling under the definition of national security. Examples in this context are undermining the Dutch democratic legal order or the international legal order, harming the integrity of politicians, and damaging vital or otherwise vulnerable sectors within Dutch society. In principle, all clandestine activities carried out by foreign intelligence services or government bodies in the Netherlands can be the subject of AIVD investigation. Over the past years, the number of foreign powers engaging in intelligence activities in the Netherlands has increased.

In addition to identifying and preventing foreign intelligence activities, the AIVD focuses on increasing resistance in connection with the risks from espionage, for one, by heightening awareness of this phenomenon. Since the end of the Cold War, this awareness has diminished drastically. The AIVD considers this diminished awareness a major safety risk as various foreign intelligence services in multiple areas of interest are carrying out clandestine activities in the Netherlands. In 2005, various companies and (government) bodies which may find themselves the object of interest of foreign powers and/or intelligence services, received some form of information on espionage risks from the AIVD.

The AIVD, jointly with the MIVD, published an updated version of the brochure 'Espionage and security risks'. This brochure has been distributed among both the private and the public sector and outlines possible espionage activities, illustrated by current examples.

6 Proliferation of weapons of mass destruction

The AIVD gathers intelligence on programmes for weapons of mass destruction of ‘countries of concern’ and attempts to identify and prevent attempts to procure goods or technology for these programmes in or via the Netherlands. The service thus supports the Dutch counter-proliferation and export control policy. The AIVD also provides relevant information to the Ministries of Foreign Affairs and Economic Affairs, as well as to relevant sectors in trade and industry and to scientific research institutions. The AIVD cooperates closely with the MIVD on these issues, as has been laid down in the AIVD-MIVD agreement.

6.1 High-risk countries

With respect to the proliferation of weapons of mass destruction and their means of delivery there are various countries that are internationally referred to as ‘high-risk countries’ or ‘countries of concern’. The international (intelligence) community has expressed its concern in various reports about the intentions of particularly Iran, Libya, North-Korea, Pakistan and Syria. Investigation has shown that countries of concern continued to cooperate in the area of the development, production and procurement of weapons of mass destruction and their means of delivery in 2005. Countries with a fairly comparable, developed industrial infrastructure, such as Pakistan, Iran and North-Korea, continued to share their expertise, technology and procurement techniques in 2005. It appears that Pakistan, Iran and North-Korea wish to have ballistic missiles for the long range. They have a moderate industrial infrastructure and sufficient technical expertise to develop and produce these weapons.

6.1.1 Iran’s nuclear weapons programme

The first half of 2005 was dominated by negotiations between the EU3 (Great Britain, France and Germany) and Iran to find a solution for the conflict about Iran’s nuclear programme. In the beginning of August 2005, Iran rejected the final EU3 proposal on long-term cooperation between Iran and the EU. Cooperation would comprise the development of a proliferation proof civil nuclear programme for Iran. One of the requirements from Iran made in the EU proposal was to cease all nuclear fuel cycle activities other than building and using light water reactors and research reactors.

Around the same time, Iran broke the seals of the International Atomic Energy Agency (IAEA) at the uranium conversion plant in Esfahan, which constituted a violation of the Paris Agreement of 14 November 2004 between the EU and Iran. Iran ceased activities at both this plant and the enrichment plant in Natanz in November 2004, after which the IAEA had sealed the plant pending the outcome of the negotiations between Iran and the EU3. In September 2005, an additional IAEA report on Iran was issued on the basis of which the IAEA adopted a resolution stating that Iran had violated its safeguards agreement (‘non-compliance’) and calling upon the country to return to negotiations. Although a judgement of ‘non-compliance’ leads to referral to the UN Security Council, the IAEA opted for not directly reporting the case to the UN Security Council. In December 2005, Iran and the EU3 discussed a possible basis to resume negotiations. In addition, Iran and Russia began negotiations on Iran’s uranium enrichment activities. IAEA issued another report in November, which also included new information provided by Iran.

In February 2005, Russia and Iran entered into an agreement on the delivery of low enrichment uranium to the Iranian light water reactor in Bushehr, which was under construction. The agreement entailed among others that Russia would take back the used fuel rods, which also contain plutonium. This prevents Iran from being able to use the plutonium for military purposes. It was then possible for the final phase of the reactor's construction to proceed. The international awareness of Bushehr and the fact that the IAEA will monitor the reactor will make it difficult for Iran to use the reactor for purposes other than the provision of energy.

International cooperation between intelligence and security services aimed at preventing the proliferation of weapons of mass destruction and their means of delivery, was intensive in 2005. The various services exchanged information on weapon programmes and the relating procurement activities engaged in.

In 2005, the Netherlands participated in several drills as part of the 'Proliferation Security Initiative' (PSI). PSI is an initiative that was launched in 2003 by the United States to prevent the smuggling of materials that can be used for weapons of mass destruction and their means of delivery by way of a coherent approach on international level.

7 Foreign intelligence

7.1 General

The law prescribes that the Prime Minister, in agreement with the Minister of the Interior and Kingdom Relations and the Minister of Defence, designates focus areas for the foreign intelligence function of the AIVD and the MIVD. The Minister of Foreign Affairs is closely involved in the process leading to the annual (and, if necessary, ad hoc) designation of these subjects. The designation order for 2005 includes three focus areas:

- international terrorism;
- proliferation of weapons of mass destruction and their means of delivery;
- political, ethnic or religious tensions or conflicts in specific areas, which might lead to a threat to international stability or the international legal order.

The above focus areas have been maintained in the designation for 2006; in addition, a fourth focus area has been added, namely 'developments that may threaten the Dutch or European energy supply security'. The implementation of the foreign intelligence function is intensively discussed by the AIVD and the MIVD.

Chapters 2 and 6 respectively provide information on the investigation activities carried out by the AIVD as part of the foreign intelligence function in the sphere of international terrorism and the proliferation of weapons of mass destruction. Other investigations carried out by the AIVD as part of the foreign intelligence function are not subjects that can be described in detail in a public report. For this reason, this chapter simply provides some general information on the subject.

The AIVD gathers intelligence on other countries to enable the government to:

- better comprehend existing national security threats;
- sooner identify latent national security threats;
- initiate steps to protect the Dutch presence and interests abroad;
- have intelligence available which cannot be obtained, or is difficult to obtain, via other channels, when determining positions as to foreign policy and when holding international talks.

Types of report the service makes use of in this context are the special intelligence analyses (mainly at a strategic level) and the concise information reports (mainly at a tactical level). Before sending these analyses and reports, the AIVD presents them to the MIVD. In 2005, the AIVD issued several of said analyses and reports to the Ministries of Foreign Affairs and General Affairs, the MIVD, the 'Joint Situation Center' of the EU, and the NATO. In this way, the foreign intelligence function contributes to national and international security.

In 2005, more capacity became available for the foreign intelligence function and this trend will continue in 2006. One of the consequences of this is investing in further developing an early-warning system, which aims to be able to timely notify its users of relevant developments relating to security in a country or relating to a certain subject. As part of this function, the AIVD has cooperated with the Ministry of Foreign Affairs in a project relating to the security of Dutch embassies abroad. The AIVD informs the Ministry of Foreign Affairs on security incidents, predictable threats and the general security situation in the country where the

embassy is located. New or upcoming focus areas are also investigated as a result of said early-warning system. On the basis of this function, in 2006 a start will be made with the investigation of developments that may threaten the Dutch or European energy supply security.

8 Promoting security

One of the AIVD's tasks is to promote that the responsible and competent authorities and bodies ensure adequate security. The AIVD's security promoting activities are focused on the tasks special information, vital sectors, persons, objects and services belonging to the government domain, and other focus areas designated in relation to national security. The AIVD supports the relevant bodies by advising them on security measures and the creation of positions involving confidentiality, informing them about threats, facilitating them in the production, distribution and registration of cryptographic encryption material and by conducting investigations into candidates for positions involving confidentiality.

8.1 Special information security

Special information security encompasses state secrets and other departmental confidential information. In 2005 the AIVD promoted the security of this information by contributing to the formulation of national and international regulations, by rendering security advice to government bodies and companies, and by developing and acquiring information security products.

8.1.1 Security of Information Regulation for the Government Service - Special Information

After the Security of Information Regulation for Government Departments - Special Information (Vir-bi) was implemented in 2004, the AIVD developed a method in 2005 by which ministries themselves can assess to what extent the security of their special information is in accordance with the requirements of the Vir-bi. In addition, in 2005 the AIVD drew up a handbook for the ministries as a tool for the implementation of the Vir-bi. Together with the AIVD representatives of the various departments formulated an implementation plan for the Vir-bi. In 2007 the Minister of the Interior and Kingdom Relations will inform the Council of Ministers on the state of affairs in respect of the special information security within the government service.

8.1.2 Working Group on Special Information Security

The Working Group on Special Information Security (WBI) gives advice on government policy on special information security. The Ministries of Defence, the Interior and Kingdom Relations, Justice, General Affairs and Foreign Affairs take part in the WBI. The working group meets four times a year and is chaired by the AIVD.

In 2005, on the recommendation of the WBI the head of the AIVD on behalf of the Minister of the Interior and Kingdom Relations, approved ten products for special information security. These concerned products for, among other things, the encryption of files, secured mobile telephone communication, the erasing of classified information on data carriers and working with pc's that process data from different classification levels. On the advice of the WBI the approval of a telex security device was withheld. On the subject of special information security the AIVD has advised members of the WBI on the set-up of networks and selecting products. In 2005, a number of evaluations on ICT products were performed the results of which have led to the approval, renewal or withdrawal of these products.

8.1.3 Security scans

A security scan is performed to assess whether the special information security meets the requirements set. By way of a follow-up of the results of the scans, which were carried out at all the ministries, the AIVD in 2005 formulated a plan of improvement with various ministries for the special information security. In 2005 the AIVD carried out security scans at eight regional intelligence services, at the National Police Agency, at six branches of the Special Service of the Royal Netherlands Military Constabulary, at the Ministries of General Affairs and the Interior and Kingdom Relations and at the Fiscal Intelligence and Investigation Service - Economic Investigation Service (FIOD-ECD). In several instances this resulted in proposals for improvement. In addition the AIVD performed security scans and provided security advice to the Counter-terrorism (CT) Infobox of the participating organisations.

8.1.4 Electronic security investigations

In 2005 the AIVD carried out electronic security investigations at different departments of central government to check meeting and working rooms on the presence of bugging equipment. In several instances this led to taking extra measures to prevent bugging.

8.1.5 National Security Authority

At national level the National Security Authority (NSA) is responsible for the security of classified information from NATO, the EU and the Galileo project. In the Netherlands the Ministers of Defence and the Interior and Kingdom Relations are responsible for the NSA. The Ministry of Defence addresses the security in the military sector and the AIVD, on behalf of the Minister of the Interior and Kingdom Relations, the civil sector. The NSA frequently performs inspections of bodies in the Netherlands which possess this special information, and screens persons who have access to this information. In 2005 the AIVD, in cooperation with the Czech NSA, organised a meeting of experts on security investigations in which representatives of the NSAs of twelve countries took part. Experiences and expertise relating to security investigations and the legal means that may be used in this context, were exchanged. In 2006 one of the participating countries will organise a follow-up meeting on this subject.

8.1.6 NSA within the context of NATO and the EU

The NATO Security Committee develops policy for the security of classified NATO information. The AIVD is represented in this Committee. In 2005 implementation guidelines for the NATO security policy were formulated, including a guideline for security treaties that NATO enters into with non-NATO Member States and international organisations. This guideline is expected to become effective in 2006. As National Communications Security Agency the AIVD has contributed to the effectuation of additional NATO regulations in the area of technical security of information.

Also in 2005, the NATO Office of Security (NOS) performed inspections at parts of Dutch government that work with classified NATO information. The inspections did not give rise to taking any additional measures. Also the AIVD provided security advice to civil NATO institutes established in the Netherlands, and the AIVD screened companies and staff that carry out NATO assignments.

The Council of the European Union also has a Security Committee. On behalf of the Netherlands the AIVD has a seat in this Committee which develops policy for the security of classified EU

information. In 2005 the Security Committee worked on the effectuation of a number of security treaties with countries that are not a member of the EU and with international organisations. Also additional regulations were formulated for the security of the industry sector and arrangements were made on the security of automated information systems and classified EU information. The security policy of the European Commission is discussed in the EU Commission Security Policy Advisory Group (CSPAG). On the proposal of the CSPAG a number of technical adjustments to the existing security regulation were carried through. The security regulation will also include an arrangement for the security of the industry sector.

8.1.7 Galileo project

The Galileo project is an initiative of the European Commission and the European Space Agency (ESA) aimed at developing a European satellite navigation system. The AIVD participates in the ESA Security Committee, which is responsible for policy development for the security of classified information of the ESA. In 2005 the AIVD performed an inspection at the Space Research and Technology Centre (ESTEC). This resulted in the issue of a security clearance to ESTEC for the period of one year.

The EU is momentarily setting up a security structure for the Galileo project. The AIVD participates in two working groups. One working group is addressing the security of sensitive electronic information within the Galileo system. Another working group is developing a policy for the security of classified information within the Galileo project. This year the working group worked in particular on a scheme for the security of the industry sector and a scheme for general starting points for the security of the public regulated services.

8.2 Promotion of protection vital sectors

The AIVD has a security promoting task in respect of the vital parts of Dutch society. These are parts of the public and private sector that have a vital importance for the preservation of social life.

The Netherlands has 33 vital products and services within twelve vital sectors. The AIVD provides these sectors with support in making risk analyses, providing threat intelligence, and giving advice on security measures. Over the past few years this took place within the context of the interdepartmental Vital Infrastructure Protection project. This project started in April 2002 under the coordination of the Ministry of the Interior and Kingdom Relations. Its purpose is to gain insight into the vulnerability of the vital infrastructure in the Netherlands and where necessary to take measures that increase the resistance. In September 2005 a report was completed containing an initial substantive analysis of the protection of the vital infrastructure. The Second Chamber has agreed to the analysis and the measures recommended.

The AIVD has provided support to all sectors in drawing up a risk analysis within the context of which interests, threats and resistance are considered in their mutual relationship. In 2004 the energy, telecommunication, finance, drink water and chemical and nuclear industry sectors started with formulating these kinds of risk analyses. Also in 2005 the AIVD supported these sectors in this. The service was also involved in 2005 in formulating risk analyses for the transport sector, and the sector involved in the turning and managing of surface water.

The degree of support given varied as a result of the varying pace and level of abstraction with which the analyses were performed, the degree of complexity of the sector in question and the experience with protection in a specific sector. The sectors of public administration, public order and security, legal order, food and health did not ask for the AIVD's support. Some of these sectors used the expertise of other bodies, whereas other sectors were faced with a lack

of time. The protection of vital infrastructure will require a continued, intensive approach in the years to come. The AIVD will continue its involvement in this.

8.3 Persons, objects and services

The AIVD has a task within the Safety and Security system. Key in this is that not only concrete threats are investigated, but that also an analysis is made of potential threats to the person under threat.

The AIVD has four products in the context of the Safety and Security system: threat reports, threat assessments, threat analyses and risk analyses. These products are (with the exception of spontaneous threat reports) made upon the request of the Protection and Security Coordinator (CBB) who falls under the National Coordinator Counter-terrorism (NCTb). The AIVD issues a threat report if information is involved which cannot be assessed immediately but which may be relevant to the Protection and Security Coordinator. A threat assessment is issued if the Protection and Security Coordinator considers it relevant for a person, object, service or event to identify whether and to what extent indications for concrete threats exist. A threat assessment is made on the basis of an investigation into concrete persons posing a threat. Threat analyses go a step further than threat assessments. Not only concrete threats are analysed, but also potential threats are identified. In preparing risk analyses, the resistance of the person under threat is considered. In measuring the resistance the strengths and weaknesses are identified in the (immediate) environment of the person, object or service under threat.

In 2005 the AIVD issued 331 threat reports and threat assessments to the Protection and Security Coordinator. In addition, 68 other products relevant in the context of threats were used both within and outside of this system. Many of these products concerned ministers, diplomats and diplomatic objects, ICTY witnesses and events. Persons and events that received special attention in 2005 included the Iraqi elections in the Netherlands (Out of Country Voting), Sail 2005 and the arrests of and criminal proceedings against various members of the Hofstad network.

The Netherlands gives residence to tens of thousands of Iraqis entitled to vote and who in January and December 2005 were allowed to vote in the Iraqi parliamentary elections. The sailing vessel event Sail 2005 received much attention from the media due to reports of threats on the internet - and the copying by various media of these reports-, the connection with the attacks in London and the various statements by academics on these incidents. The AIVD notices in this context that the response by the public did play a role in the effect of the terrorist threat. Causing feelings of insecurity and fear can be an objective of terrorists, and may give potential terrorists ideas.

The AIVD investigation into the various rumours about imminent threats in the Netherlands on public transport in the month September eventually did not result in concrete indications of preparations for an attack on rail or metro in the Netherlands. The AIVD suspects, due to the context of the timing and location of part of the rumours that these were - partly - responses within Muslim circles to various speeches by leading figures (Al Zaraqawi and Zawahiri) of the international jihad in the aftermath of the attacks of 7 and 21 July in London. The rumours were cause for preparing various threat assessments to the CBB and also lay at the base - in addition to other types of (police) intelligence - of the NCTb's decision to temporarily increase the alert level for the railway. In 2005 the AIVD - anticipating the amendments to the Wiv 2002 - completed three pilots for the formulation of threat analyses and risk analyses. For these pilots information was obtained from open sources and AIVD files. The experiences from these pilots are included in the analyses to be made in 2006.

In consultation with the CBB it will be determined for which persons, objects and/or services threat and risk analyses are to be formulated.

8.4 Positions involving confidentiality and security screening

A position involving confidentiality can only be filled when a security clearance ('certificate of no objection' (VGB) has been issued. To this end a security screening is conducted to establish whether there is any objection against occupying the position. The depth of the security screening is determined by the category of the position involving confidentiality. Positions involving confidentiality are classified into three general categories: A, B and C positions. These categories indicate the vulnerability of the positions, in which context position A is the most vulnerable. In addition to these general categories of positions involving confidentiality, there are more specific positions involving confidentiality at the police (so-called P-category positions involving confidentiality), in civil aviation and at the Royal Family (so-called KH-category positions involving confidentiality). The security investigations for these positions are tailor-made to these specific categories.

8.4.1 Guideline positions involving confidentiality

In 2005 the AIVD formulated a new guideline for positions involving confidentiality which offers a uniform framework for the designations of positions involving confidentiality at the central government, at sectors of vital infrastructure and the police. The guideline is based on the tailpiece notion, implying that first other protective measures need to be taken before a position is designated as a position involving confidentiality. It is expected that in the course of 2006 the guideline can serve as a basis for a reorientation on designating positions involving confidentiality at the central government and the police.

8.4.2 Reducing the duration of procedures

The AIVD has assessed several new investigative instruments and methods on the degree in which they can contribute to improving the quality and reducing the duration of security investigations. It is expected that in early 2006 the first adjustments can be carried through which will lead to a more focused field research and an improvement of the quality of the preliminary investigation. Also to be examined is the extent to which automation can contribute to speeding up processing times.

Exceeding the statutory processing time mainly occurs in connection with A-category security investigations, including investigations at the police. These investigations consist of an administrative phase and field research within the context of which informants can be heard. Each phase normally takes four weeks. Due to the large demand for A-category security investigations it takes several weeks before the A-category security investigation can enter the phase of field research. This causes a work load. The activities aimed at reducing processing times initially led to more room for the AIVD to carry out A-category security investigations, as a result of which the average processing time decreased. As a result of the increase of the number of requests, amongst others at the police and a number of ministries, the processing time however increased again. In 2005 the average processing time of the total of A-category security investigations was thirteen weeks. The average processing time of A-category security investigations at the police was twelve weeks. The average processing time of A-category security investigations at the Royal Family was eight weeks. The majority of B and C-category security investigations was carried out within eight weeks.

8.4.3 Vetting inquiries under the AIVD's mandate

The Royal Netherlands Military Constabulary (KMar), the police forces and the National Police Agency (KLPD) carry out part of the vetting inquiries under mandate of the AIVD. This concerns, respectively, the positions involving confidentiality in civil aviation, at the police and at the Royal Family. In the cases in which it appears that no certificate of no objection can be issued, the authorities will pass on the investigation to the AIVD. This is done when there are judicial antecedents or if the vetting inquiries have initially produced insufficient data to assess whether or not a certificate of no objection can be issued. An investigation is also passed on to the AIVD if the person involved has been the subject of previous vetting inquiries and a certificate of no objection was refused, or if reference to the AIVD files, the so-called political reference, gives cause for this. The AIVD is responsible for the training and supervision of the officials charged with conducting these investigations. The AIVD conducts any investigations into candidates for A-category positions involving confidentiality itself.

8.4.3.1 Vetting inquiries by the Royal Netherlands Military Constabulary

Following the diamond robbery at Schiphol airport the Minister of Justice set up the Access Management Schiphol Commission (the Oord Commission) to investigate to what extent the effectiveness of measures to protect the civil aviation has an effect on combating (frequently occurring) crime at Schiphol. The security investigation remains a snapshot in time and the Oord Commission made the recommendation to create a more permanent assessment of judicial and police information on current and new investigations in order to enable a more dynamic investigation, also after a certificate of no objections has been issued. This requires an amendment to the Security Clearances Act. A draft legislative proposal has meanwhile been prepared by civil servants and will be presented to the Council of Ministers in March/April 2006.

In 2005 the total supply of investigations in civil aviation amounted to 31,330. Of these, the Royal Netherlands Military Constabulary passed on 3,846 investigations to the AIVD, 444 fewer than in 2004. In 2003 the Royal Netherlands Military Constabulary started conducting renewed investigations at Schiphol Airport (the Security Clearance Act provides the possibility that security investigations are repeated five years or a multiple of this after issue of a VGB, or in the interim period if there is cause to do so). To this end in 2005 300 renewed investigations were handled and a start was also made with renewed investigations at other airports.

Table 1 Investigations passed on to the AIVD by the Royal Netherlands Military Constabulary

Relevant judicial information	1,223
Insufficient information	1,840
Reference in AIVD files	178
Earlier refusals of a security clearance in civil aviation	605
Total number of investigations passed on	3,846

8.4.3.2 Vetting for and by the police

In 2005 the AIVD handled 1,624 A-security investigations, 918 of which were completed by late 2005. The police forces themselves under the responsibility of the AIVD conducted 2,513 P-security investigations, 93 of which were passed on to the AIVD.

8.4.3.3 Vetting for the Royal Household

In total the AIVD performed 35 A-security investigations and the National Police Agency 37 KH security investigations. Due to various circumstances in the past year fewer KH investigations

were performed than initially foreseen. In 2005, eight KH security investigations were passed on to the AIVD.

8.4.4 Number of positions and investigations

The table below gives an overview of the number of positions involving confidentiality and the number of vetting inquiries over the past three years.

Table 2 Total number of positions involving confidentiality (c.p) and vetting inquiries (v.i.) in the years 2003 up to and including 2005

	c.p. 2003	v.i.2003	c.p. 2004	v.i. 2004	c.p. 2005	v.i. 2005
Central Government*	5.328	1.761	5.935	2.024	5.960	2.423
Defence order companies	16.500	2.168	16.000	1.983	18.500	2.362
Civil aviation**	36.638	36.638	34.894	34.894	31.330	31.330
Police	15.900	2.902	15.365	3.678	17.000	4.137
Royal Household***			141	143	240	72
Vital companies	1.547	399	1547	764	1235	489
Miscellaneous****		1.444		1.192		1.502
Total	75.913	45.312	73.882	44.478	74.265	42.315

* Exclusive of the Ministry of Defence and the Armed Forces, inclusive of the AIVD.

For the Ministry of Foreign Affairs the number of FTEs for confidential posts.

** The figure under 'confidential post' represents the number of vetting inquiries, because no confidential posts have been designated in civil aviation. In civil aviation a pass is required for access to protected areas. One of the conditions to obtaining such a pass is a security clearance issued on the basis of a vetting inquiry.

*** The confidential posts at the Royal Household will be designated in phases over a period of three years.

**** Under the category 'miscellaneous' we range investigations carried out at the request of other countries or international organisations in connection with security measures used by these countries or international organisations.

The annual report 2004 stated that as a result of the establishment of the Nations Crime Squad, the Upper Regional Crime Squad Teams and the extension of the number of police officers, the number of security investigations has increased.

This development continued in 2005. In addition, as a result of the extension of the AIVD and RID considerably more A-category security investigations were carried out than in previous years. This trend will continue over the next year.

The table below gives an overview of the number of security investigations dealt with by the AIVD over the past year. Of the investigations carried out by the Royal Netherlands Military Constabulary and the police forces themselves, only those passed on to the AIVD have been included.

Table 3 Vetting inquiries handled by the AIVD

	2003	2004	2005
A-category	1.863	2.102	2.969
P-category	57	83	93
KH-category		7	8
B-category	*7.680	**7.324	***8.328
C-category	867	1.000	1.035
Total	10.467	10.516	12.433
<i>*3.744 via Royal Netherlands Military Constabulary</i> <i>**4.290 via Royal Netherlands Military Constabulary</i> <i>**3.846 via Royal Netherlands Military Constabulary</i>			

The increase of the number of A-category investigations by 41 percent compared with 2004 was caused by:

- the increase of the number of general A-category security investigations in the first six months;
- the increase of the number of A-category security investigations into the own staff;
- the increase of the number of A-category requests for information by the National Police Agency (national crime squad);
- the increase of the number of A-category security investigations for Article 60 officials (expansion RIDs).

8.4.5 Results

In 2005 in 37,673 cases a security clearance was been issued. The number of refusals of a security clearance dropped from 1,549 in 2004 to 1,102 in 2005. Most of these cases involved B investigations in civil aviation (1,050 in 2005 versus 1,513 in 2004). At the Royal Household no security clearances were refused in 2005.

Table 4 Refusal of security clearances

	Judicial antecedents	Insufficient information	Other reasons*
A-category	0	2	13
A-category police	1	1	4
P-category	4	5	7
B-category	7	3	1
B-category civil aviation	857	192	1
C-category	1	3	0
Total	870	206	26

* Other reasons for refusal are personal conduct and circumstances and/or information from AIVD records.

8.4.6 Objection and appeal cases regarding vetting inquiries

The overview below represents the numbers and results of objection and appeal procedures instituted against the outcome of vetting inquiries.

Table 5 Numbers of objection and appeal procedures

	Submitted	Provisional Arrangements (VoVo)	Dealt with
Objections	136	4	129 (incl.VoVo)
Court cases	18	2	17 (incl.VoVo)
Appeals before the Council of State	7	4	6 (incl.VoVo)

Part of the objection and appeal procedures that were dealt with were instituted in 2004.

Table 6 Results of objection and appeal procedures

	Unfounded	Founded	No cause of action	Withdrawn	Denied	Allowed
Objections	72	20	26	7		
Court cases	8	3	1	3		
Appeals before the Council of State		1				
VoVo		1	1		7	1

In 2005 the number of objections submitted under the Security Clearances Act showed an increase of almost fifty percent compared with 2004, namely from 93 to 136. Twenty-five objections concerned rejections based on insufficient information on the candidate for the position involving confidentiality. In about half of the objections declared founded, it was only in the objection phase that the aggrieved party turned out to be able to produce the missing information as yet, as a result of which it became possible to render an opinion about the question whether the person involved would under all circumstances fulfil the obligations ensuing from the position involving confidentiality in an honest way. The other objections mainly pertained to rejections and withdrawals based on relevant judicial information and personal conduct and circumstances.

The number of court cases filed in the context of the Security Clearances Act remained almost the same. In twelve of the fifteen appeal proceedings the court put the Minister in the right. Whereas in 2004 no appeal proceedings under the Security Clearances Act were instituted, in 2005 seven appeal proceedings were brought before the court, three of which by the Minister of the Interior and Kingdom Relations. For example appeal was instituted against a decision in which a district court had considered that a Minister based on the security investigation was justified in taking the position that there were insufficient guarantees for fulfilling the position involving confidentiality at the police, but that according to this court's considerations the decision-making had not been take with due care. The Council of State has not yet taken a decision in this matter.

The Minister also appealed against a decision of a district court. The district court took the position that the use of soft drugs by the candidate for a position involving confidentiality at the police should not be considered inconsistent with the vulnerabilities of a position involving confidentiality, including the combat of serious crime including that of the trade in (soft)

drugs. The Minister's position in this case was that the use of soft drugs in the current situation damaged the integrity and regard of the candidate and thus the integrity and regard of the police force. The appeal is yet to take place. The Minister also appealed against the decision by a district court on the policy in respect of the assessment of judicial data and the question whether the offence committed was no more than a youthful sin. In appeal the Council of State upheld the appeal, quashed the contested decision and the AIVD's restrictive policy on youthful sins was confirmed. Six of the seven appeal cases are still pending.

Table 7 Pending cases late 2005

Objections	44
Court cases	11
Appeals before the Council of State	6

8.5 International organisations

The Netherlands is host to a number of international organisations and has a task to as much as possible ensure the undisturbed functioning of these organisations. These institutions may encounter security risks regarding premises, staff and visitors. In 2005 the AIVD carried out security investigations for and provided security advice to the International Criminal Court, the ESA/ESTEC and Europol. In order to arrive at a more structural cooperation between the international organisations established in the Netherlands, the Netherlands International Security Forum (NISF) was founded in 2005. The NISF meets periodically to consult about safety and security issues. The AIVD is represented in the board of the NISF.

8.5.1 Yugoslavia Tribunal

In respect of the Yugoslavia Tribunal (ICTY) the AIVD keeps an eye on any responses from population groups in the Netherlands originating from the former Yugoslavia. In December 2005 the Croatian general Gotovina was arrested on the Canary Islands and taken to The Hague. Gotovina is considered one of the most important figures who managed to escape the Yugoslavia Tribunal until now. The uncooperative attitude of Croatia to extradite Gotovina for a long time constituted an obstacle in EU consultations about the entry of Croatia. The arrival of Gotovina in The Hague has not led to unrest within the Croatian community. Like in previous years also in 2005 there were rumours that the arrests of Mladic and Karadzic were forthcoming. These rumours did not cause any appreciable stir, either.

8.5.2 International Criminal Court

In June 2005 the International Criminal Court (ICC) instituted a formal investigation into the war crimes in the Sudanese Darfur region. This investigation runs parallel with the investigations started earlier into the situation in the Democratic Republic of Congo and in Uganda. Sudan is not a party to the International Criminal Court and to date has rejected the allocation of this criminal case by the UN to the ICC. In October 2005 the ICC announced the first arrest orders in the criminal proceedings against commanding officers of the Lord Resistance Army (LRA) in Uganda. The AIVD is investigating the effect of these ICC investigations on the minorities in the Netherlands and the threat by these minorities towards the ICC.

8.6 Other activities

A number of activities carried out by the AIVD in the context of its security promoting task cannot be ranged under the subjects described above. These subjects are covered in this section.

8.6.1 Integrity Violations Reporting Centre

In 2005 the AIVD further cut back its tasks in the area of promoting integrity. This is in line with the recommendation of the Administrative Evaluation Committee that the AIVD is to examine whether parts of tasks including integrity investigations, can be performed by organisations other than the AIVD.

At the Ministry of the Interior and Kingdom Relations within the Directorate-general for Management in the Public Sector (DGMOS) a Bureau for the promotion of integrity for the public sector (BIOS) has been established. In 2005 BIOS was charged with the development of instruments, the administration of the Guidelines for Integrity Projects and providing advice on this subject. The Utrecht School for Administrative and Organisation Sciences on the instruction of DGMOS investigated what the most suitable place is within the public sector for positioning an integrity violations reporting centre (Mepia). In late 2005 this investigation was completed. In the course of 2006 there will be a definitive decision as regards the positioning of Mepia.

8.6.2 Electronic attacks

In 2005 the AIVD continued the investigation into electronic attacks on computer networks of the government. Experience was acquired with the use of Intrusion Detection Systems. The AIVD exchanged information on electronic attacks with foreign intelligence services. In 2006 the AIVD will further develop the cooperation with other parties in the Netherlands that are active in the field of protection against ICT threats.

8.6.3 Protection of application for and issue of travel documents

At the request of the Basic Administration of Personal Data and Travel Documents Agency (BPR) in 2004 the AIVD started an evaluation which was completed in June 2005. The investigation was aimed at how protection is effected regarding the application for and issue of travel documents at municipalities. The AIVD informed the BPR on the findings of the evaluation and made six recommendations to improve the fraud resistance of the application and issue process. In addition, in 2005 the AIVD gave support to the development and introduction of biometry in Dutch passports.

8.6.4 Support security of the new driving licence

In 2004 the Government Road Transport Agency (RDW) started with a European tender for the development and production of a new driving licence. The AIVD supported the RDW in formulating the security requirements for the driving licence and in the assessment of the tenders. In July 2005 it was awarded to Sdu-Identification. In 2006 the AIVD will render further support to the security of the production process, the application and issuing process at Dutch municipalities and embassies abroad.

8.6.5 Restructuring the position of Security Officer

In 2004 the AIVD participated in an investigation into the desired positioning of the position of Security Officer (BVA). This investigation has resulted in a report 'Restructuring the position of Security Officer' and a 'Security Regulation 2004'. The latter has meanwhile been given the name 'Security Regulation 2005'. The Prime Minister, acting in accordance with the view of the Council of Ministers, has adopted the regulation after which it was published in the Government Gazette. Some ministers use the security regulation as support in (re)structuring the departmental security structure.

9 Oversight

9.1 Control

9.1.1 The Minister of the Interior and Kingdom Relations

The Minister of the Interior and Kingdom Relations is responsible for the AIVD and renders account to parliament on the functioning of the AIVD. Every year the Minister of the Interior and Kingdom Relations formulates the focus areas for the AIVD and makes choices with respect to the deployment of people and resources.

Further to the recommendations of the Administrative Evaluation Committee and the ensuing AIVD development programme Prospect 2007, in 2005 a start was made with a new system for the preparation of the AIVD year plan, the aim of which is to clarify the control of and the setting of priorities in respect of the tasks of the AIVD. In this context the AIVD, in the first place based on its own knowledge and insight, has formulated risk analyses regarding the various focus areas. In addition, the AIVD conducted talks with the main political and official relations of the service in order to hear about their need for information with regard to the various focus areas.

Based on the outcome of the two trajectories a draft AIVD year plan 2006 has been formulated. The draft year plan was subsequently discussed in the Netherlands Joint Intelligence Committee (CVIN) and has eventually been adopted in the Council for National Security.

The year plan provides insight into the AIVD's focus areas for 2006 and the choices the Minister of the Interior and Kingdom Relations has made with regard to the deployment of people and resources. On 10 January 2006 the Minister of the Interior and Kingdom Relations informed the Second Chamber on the outlines of the AIVD's year plan 2006 (Second Chamber, 2005-2006, 29 876, no. 10). This is the first time that the Second Chamber was informed publicly on the contents of an AIVD year plan.

This new approach provides the Minister of the Interior and Kingdom Relations with an improved mechanism to control the AIVD and moreover encourages an effective collaboration between the AIVD and its strategic relations. This method makes it possible to create realistic expectations on the possibilities and limitations of the service.

9.1.2 Council for National Security

The Council for National Security (RNV), which was founded following the attacks in Madrid in 2004 as sub-council to the Council of Ministers, addresses different issues concerning national security. The RNV is prepared in two official preparatory bodies; the Joint Counter-terrorism Committee and the Netherlands Joint Intelligence Committee (see also section 9.1.3 and section 9.1.4). The issues addressed by the RNV in 2005 are discussed in the sections in which these two official preparatory bodies are elaborated on in more detail.

The RNV meets every month and is chaired by the Prime Minister. In the RNV the vice-Prime Ministers and the Ministers of the Interior and Kingdom Relations, Foreign Affairs, Defence, Justice and the Minister of Aliens Affairs and Integration have a seat.

9.1.3 Joint Counter-terrorism Committee

The Joint Counter-terrorism Committee (GCT) is one of the RNV's two official preparatory bodies. The GCT deals with all issues specifically related to terrorism and counter-terrorism. In 2005 this committee discussed among other things the progress report counter-terrorism presented to the Second Chamber, the tackling of radicalisation hotbeds, the Current Terrorism Threat in the Netherlands which under the direction of the NCTb is drawn up by various organisations such as the National Police Agency (KLPD), the AIVD, the MIVD, the Immigration and Naturalisation Service (IND) and the Ministry of Foreign Affairs. The GCT meets every month and is chaired by the National Counter-terrorism Coordinator (see also Chapter 10 section 1.4 on cooperation). All relevant organisations dealing with counter-terrorism at the national level have a seat in the GCT.

9.1.4 Netherlands Joint Intelligence Committee

In addition to the GCT the Netherlands Joint Intelligence Committee (CVIN) is an official preparatory body of the RNV. Unlike the GCT, whose agenda only contains terrorism-related items, the CVIN has a wider focus area within the context of national security issues. In 2005 for example, issues such as energy supply security, the possible development of a nuclear programme in Iran, threat assessments regarding operations of the Dutch armed forces and in particular the situation in Iraq and Afghanistan, were discussed.

The CVIN meets monthly and is chaired by the coordinator of the intelligence and security services of the Ministry of General Affairs. Apart from the heads of the AIVD and the MIVD the director-general Political Affairs of the Ministry of the Interior and Kingdom Relations, the director General Policy Affairs of the Ministry of Defence, the director-general Law Enforcement and the NCTb, have a seat in the CVIN.

9.2 Parliamentary matters and legislation

9.2.1 The Second Chamber

The Minister of the Interior and Kingdom Relations renders account to parliament on the activities of the AIVD. The minister does this publicly, in general outline, in the Second Chamber and in more detail in the standing committees for the Interior and Kingdom Relations. In dealings with the Second Chamber in 2005 the emphasis lay on the threat of terrorism and on counter-terrorism. In this context the standing committees for the Interior and Kingdom Relations and for Justice, on the side of the Second Chamber, and the Ministers of the Interior and Kingdom Relations and Justice - party because of the latter's role of coordinating minister for counter-terrorism - , on the side of the Cabinet, often acted collectively. Both ministers concertedly sent several letters to the Second Chamber and answered questions from parliament about the threat emanating from terrorism and about counter-terrorism, both at national and international level.

The most comprehensive of these were the progress reports counter-terrorism of, respectively, 24 January 2005, 10 June 2005 and 5 December 2005 (Second Chamber, 2004-2005, 29 754, nos. 5, 24 and 60).

In correspondence and consultations between the Second Chamber (the standing committee for the Interior and Kingdom Relations) and the Minister of the Interior and Kingdom Relations at several instances the functioning of the AIVD came up, for example in the general consultations on the final report of the Administrative Evaluation Committee for the AIVD

on 30 March 2005 and the general consultations of the AIVD on 2004 on 5 October 2005. On 18 March 2005 and on 26 September 2005 the Minister of the Interior and Kingdom Relations sent letters to the Second Chamber on the Counter-terrorism (CT) Infobox (Second Chamber, 2004-2005, 29 754, no. 21 and Second Chamber, 2005-2006, 29 754, no. 29).

On 11 December 2005 Peter R. de Vries in his television broadcast exposed the loss of two diskettes containing confidential information. The diskettes came from a former employee of the RID Rotterdam Rijnmond who had meanwhile joined the AIVD. The diskettes contained text files prepared by the persons involved, containing private information and work-related information, including state secrets about the work of the BVD/AIVD. The diskettes, it is assumed, were left by the employee in question in a car that he had used for his work at the AIVD, in mid-2003. The negligent employee was immediately suspended and was denied access to the AIVD premises. Later, the employee received a disciplinary punishment and was transferred to a job outside the AIVD.

Mr De Vries has handed over to the AIVD the diskettes in question and a print-out of the documents. Also copies which he initially held back were given to the AIVD by him. Under the supervision of the AIVD he also removed these from all digital data carriers. Furthermore he declared in writing that he did not possess any more copies, and that he had not provided these to others, either. According to a press release of 1 February 2006 the Public Prosecutions Department has decided not to institute criminal proceedings against Peter R. de Vries on account of the possession of state secret information, in particular on the condition that De Vries shall not again commit criminal offences relating to the information on the diskettes. By letters of 8 and 14 December 2005 the Second Chamber was informed about this matter (II 2005-2006, 30300 VII, nos. 41 and 47).

Also, members of various parliamentary parties of the Second Chamber visited the AIVD in order to be informed in more detail about the specific fields of activity of the AIVD and the way in which the AIVD conducts its investigations.

We refer to the AIVD website (www.aivd.nl) for a complete overview of the public letters sent by the Minister of the Interior and Kingdom Relations to the Second Chamber and the replies to written parliamentary questions.

9.2.1.1 The Committee on the Intelligence and Security Services

In the Committee on the Intelligence and Security Services the Minister of the Interior and Kingdom Relations renders account on issues that concern the AIVD but which cannot be discussed publicly. The committee is made up of the chairmen and women of the parliamentary parties represented in the Second Chamber with the exception of the chairmen of the political parties who during the running parliamentary period split off and the chairman of the Socialist Party SP, who did not wish to be included on the committee. Upon invitation the Minister of Foreign Affairs, supported in this by officers of the AIVD, provides an oral explanation of the subjects provided by the committee with respect to the AIVD's operational activities. If so desired the minister also provides the committee with written information. The minister also informs the commission on his own instigation.

In 2005 the committee held consultations with the Minister of the Interior and Kingdom Relations on nine occasions. The issues discussed included the attacks in London and the Hofstad investigation. Also other subjects related to terrorism were discussed, for example the question whether the AIVD knew about the presence of hand grenades in the building at Antheunisstraat in The Hague (see also the public letter to the Second Chamber, Parliamentary

documents II 2004/05, 29 754, no. 22). In this context the committee also listened to several conversations recorded by the AIVD. Furthermore, issues such as non-proliferation and the 'leak' at the AIVD were discussed.

9.2.2 Investigation into democratic supervision over the intelligence and security services abroad

In 2005 the AIVD had an investigation conducted into democratic supervision over intelligence and security services in a number of countries. Reason to do so was a general consultation with the standing committee for the Interior and Kingdom Relations concerning the report of the Administrative Evaluation Committee for the AIVD, which among other things discussed this subject. The investigation was carried out by the Clingendael Centre for Strategic Studies TNO (CCSS). On 14 December 2005 the report was presented to the Second Chamber (Parliamentary documents II, 29 876, no. 8, including annex). The Minister of the Interior and Kingdom Relations, also on behalf of the Minister of Defence, pointed out that differences in constitutional law of the different countries make it difficult to render an absolute, qualitative opinion based on comparative law on the democratic supervision on the Dutch intelligence and security services. Testing the Dutch system against the framework of indicators however produced a positive picture of democratic supervision over the Dutch intelligence and security services. It is expected that in the course of 2006 the report of the investigation and the position of the ministers will be discussed with the Second Chamber.

9.2.3 Legislation and regulations

The proposal for an amendment of the Intelligence and Security Services Act 2002 in connection with the introduction of a new Safety and Security system (Parliamentary documents 2004/05, 30 070), announced in the memorandum on a new Safety and Security system (Parliamentary documents II 2003/04, 28 974, no. 2), was accepted by the Second Chamber and is now being discussed by the First Chamber. At the Council of State a legislative proposal is pending for advice. In this legislative proposal several changes to the Wiv 2002 are proposed which may result in the intelligence and security services being able to operate more effectively and efficiently, and which form an elaboration of the so-called Post-Madrid proposals. The official preparation of the proposed amendment of the Security Clearances Act is almost completed. This proposal contains various amendments following the results of the feasibility test (Parliamentary documents II 2004/05, 29 843, no. 1) and lays the basis for a more efficient approach to security clearance investigations (based on information from police and the judicial authorities) in accordance with the advice from the Oord Committee.

In 2005 the proposal for an amendment of the Code of Criminal Procedure in connection with making arrangements concerning the hearing of shielded witnesses and several other subjects (shielded witnesses) was accepted by the Second Chamber (Parliamentary documents II, 29 743). The legislative proposal is the result of a motion by CDA, VVD and LPF accepted by the Second Chamber on 9 December 2003 in which the government was called on to 'within six weeks prepare legislation on the admissibility and method of using AIVD information in criminal proceedings and present it to the Council of State for advice'. The legislative proposal seeks among other things to improve the possibilities for using and testing AIVD information in criminal proceedings, for example by implementing a procedure whereby an AIVD officer can be heard as a shielded witness. Late 2005 the legislative proposal was discussed by the First Chamber. An overview of the relevant legislation and regulations relevant to the service can be found in appendix 1.

9.3 Communication

In 2005 the AIVD continued to attract public attention. Three of the most conspicuous incidents involving the AIVD that received news coverage were: the threats made against the AIVD premises and the organisation's employees in October 2005, the affair of a RID employee's mislaid diskettes and the conviction of a former employee for the leaking of state secrets, both in December 2005. In view of the AIVD's statutory tasks, it is not always possible to counter or respond to reports in the media, for instance because of the need to protect sources. The fact that total clarity cannot always be provided can sometimes result in the persistence of misconceptions and/or inaccurate impressions concerning the AIVD. In any case, the AIVD always strives for openness about issues whenever this is possible.

On the other hand, the AIVD is much more willing to take the initiative to come forward in public than it did in the past, in order to clarify the service's role wherever possible. The AIVD does this by means of issuing publications such as this annual report and also through press briefings, public communications and through the much-visited website www.aivd.nl. In the long-term quality programme on which the AIVD is working, the active and strategic use of internal and external communication is accordingly given high priority. A notable example of this was the symposium 'Freedom versus Security?', organised by the AIVD in the Ridderzaal on 1 September on the occasion of its sixtieth anniversary. It was a unique public meeting with contacts from within and outside the Netherlands.

9.4 Applications under the Freedom of Information Act

Under the Freedom of Information Act everyone is entitled to file a request to inspect files held by the AIVD. The procedure to be followed and the conditions governing the inspection of files are to be found on the website www.aivd.nl.

Only information that is no longer relevant to the AIVD's current activities may in principle be released for inspection, unless the release of such information could compromise AIVD sources or operational methods. Personal data pertaining to third parties may only be disclosed if the information concerns a deceased spouse, registered partner, child or parent of the applicant.

In 2005 dozens of applications under the Freedom of Information Act were received, in which context it should be noted that several requests led to the release for inspection of files exceeding a thousand pages in length. The number of requests filed is not indicative of the intensity and duration of their processing. It was the labour-intensive processing of just these particular requests that resulted in one request not being completely dealt with within the statutory period; incidentally, this was in consultation with the applicant concerned.

The number of requests filed in 2005 showed a decrease of about fourteen percent in relation to 2004, namely a drop from 203 to 174. Of these requests, 101 concerned data possibly in existence about the applicant him or herself, 30 requests concerned data about deceased family members and 35 cases involved information relating to the AIVD's administrative affairs. Eight requests concerned data relating to third parties.

In 2005, 30 applicants filed a notice of objection against refusals to permit the release of files for inspection, eleven applicants lodged an appeal against decisions on an objection and two applicants instituted appeal proceedings against decisions of the District Court in The Hague. Of the proceedings still pending in 2005, 28 objections, five court cases and nine appeals to

the Council of State were dealt with. With the exception of just one case, the AIVD's policy withstood judicial review.

Table 8 Pending cases in late 2005

Requests for inspection of files	32
Notices of objection	4
Court cases	10
Appeals before the Council of State	0

9.5 Complaints

The AIVD, the Committee for the Intelligence and Security Services of the Second Chamber, the Supervisory Committee, the Minister of the Interior and Kingdom Relations and the National Ombudsman occasionally receive complaints from citizens regarding (alleged) improper actions by the AIVD within the context of its tasks under Article 6, second paragraph, of the Intelligence and Security Services Act 2002 (Wiv 2002). Such complaints are initially handled by the Minister, advised by the Supervisory Committee. If the Minister's response does not satisfy the complainant, he or she may turn to the National Ombudsman.

In 2005 the Minister received three complaints pertaining to the AIVD. The first complaint referred to the circumstance that the AIVD had unjustly followed the complainant for several years. The complaint was declared unfounded in accordance with the advice of the Supervisory Committee. In the second complaint it was alleged that the AIVD had drawn up official messages based on false information and that the AIVD keeps changing its official messages. The third complaint referred to the circumstance that the complainant had allegedly been misled, misused and abandoned by the AIVD. Late 2005 the latter complaints had been submitted for advice to the Supervisory Committee.

In addition, two complaints received in 2004 were settled in 2005 (see Annual Report, third and fourth complaint). Both were declared unfounded by the Minister in accordance with the advice of the Supervisory Committee. The third complaint was subsequently submitted to the National Ombudsman. Also the second complaint received by the Minister in 2004 and settled in 2005, was submitted to the National Ombudsman, who also declared the complaint unfounded.

The AIVD's Annual Report 2004 also reported on the investigation by the National Ombudsman into the duration of handling correspondence of citizens to government bodies. This investigation has resulted in the 'Burgerbriev rapport' (Citizens' letters report) (report 2003/325). In 2005 the National Ombudsman performed an evaluation to find out to what extent the recommendations from the 'Burgerbriev rapport' had resulted in actions being taken and what results any actions taken had produced. The evaluation stated that the AIVD had taken measures in order to arrive at a reduced duration of the handling of objections and that the handling of letters from citizens generally stayed within the term set for it. The National Ombudsman considered the conduct of the Ministry of the Interior and Kingdom Relations appropriate for the most part (report 2005/250).

9.6 Supervisory Committee

The Supervisory Committee on the Intelligence and Security Services is an independent committee that exercises supervision over a lawful implementation of the Act on the Intelligence and Security Services 2002 and the Security Clearances Act. The committee issues supervisory reports based on its investigations. To the extent that the nature of the information contained in these investigations allows this, these reports are public. Any information in these reports that may provide insight into sources, the method of working and the current knowledge level of the AIVD, are presented to the Committee on the Intelligence and Security Services of the Second Chamber for confidential inspection.

In 2005 the Supervisory Committee issued two supervisory reports on the activities of the AIVD. The first report concerned the AIVD's investigation into developments within the Moluccan community in the Netherlands (Parliamentary documents II 2004/05, 29 924, no. 2). The second report concerned the AIVD's investigation into the proliferation of weapons of mass destruction (Parliamentary documents II 2005/06, 29 924, no. 5). In both cases an important conclusion was that the AIVD in the performance of the investigations and the use of special powers, had acted lawfully.

Furthermore in 2005 the committee reported to the Minister of the Interior and Kingdom Relations about a random check. Random checks often precede an in-depth investigation. In this case however an independent random check had been performed into the MIVD's investigation into antimilitarism. In said MIVD investigation the MIVD cooperated with the AIVD. The classified report of the random check was submitted to the Committee on the Intelligence and Security Services of the Second Chamber for confidential inspection. Other current and announced investigations by the committee concerned violent animal rights activism, undesired interference by foreign powers, a counter-terrorism operation, the deployment of informants and agents abroad, and the official messages issued by the AIVD. The committee also announced that it would investigate, in consultation with the National Ombudsman and the Data Protection Board, whether their joint powers sufficiently cover the entire information processing process within the context of the Counter-terrorism Infobox (CT).

9.7 Miscellaneous

In 2004 it turned out that an AIVD officer had leaked information. The information that the officer had leaked included a transcript of a telephone tap, a report of an observation team and an email message in which a specific AIVD investigation was referred to. Since this involved a serious criminal offence and the integrity of the AIVD could be at stake, the incident was reported, after which in late September 2004 the Public Prosecutions Department proceeded to arrest and prosecute the officer concerned. During the criminal proceedings the District Court of Rotterdam took a number of interlocutory decisions. In January 2005 (LJN AS3661) it judged among other things that a partial dispensation of the obligation of confidentiality granted to the suspect could guarantee the defence interests. Thereupon the head of the AIVD, in order to allow the defence the opportunity to adequately defend its client, gave the suspect conditional dispensation of his obligation of confidentiality. In the subsequent sentence of the District Court (LJN AT4031) the Court ruled that the identity of (AIVD) witnesses to be heard, as laid down in article 190, second paragraph, of the Code of Criminal Procedure, may be protected which boils down to the anonymous hearing of witnesses.

Eventually on 15 December 2005 the officer was found guilty by the District Court of Rotterdam of leaking state secrets, and was sentenced to four years and six months' imprisonment (LJN AU8207). Ground for this sentence was among other things the DNA material of the person involved found on the leaked information. The District Court also ruled that the requirements set by the ECHR to the criminal procedure, had been met.

10 Cooperation

As formulated in the AIVD's mission statement, cooperation with (strategic) relations, interested parties and foreign intelligence and security services is of crucial importance to the AIVD. On the one hand to obtain new information and additional intelligence, on the other hand to share specific knowledge and information in order to offer others useful action perspectives with the objective of reducing identified risks and/or increase resistance (risk reduction). For these reasons the AIVD works together with a large number of organisations both within and outside the Netherlands.

10.1 National cooperation

10.1.1 Counter-terrorism Infobox

The Counter-terrorism (CT) Infobox is a special cooperation between AIVD, the Immigration and Naturalisation Service (IND), the National Police Agency (KLPD), the Defence Intelligence and Security Service (MIVD) and the Public Prosecutions Department (OM). The FIOD-ECD (Fiscal Intelligence and Investigation Service - Economic Investigation Service) is participating in the form of a pilot. De CT Infobox falls under the AIVD and is subjected to the regime of the Intelligence and Security Services Act 2002.

The aim of the CT Infobox is to contribute to the combat of terrorism by compiling and comparing at a central point information about networks and persons who are in any way involved in terrorism and in terrorism-related radicalisation. Consultation, comparison and analysis of data provided by the participating services enables a rapid, multi-disciplinary analysis and assessment of the information. Based on the results of the multi-disciplinary assessment it becomes clear which type of action - intelligence operations, measures pertaining to criminal or aliens law, or the frustration of activities - is possible and desirable by the participating services. The required information is largely exchanged directly between the various partners, within the relevant statutory regimes. Both the bundling of information available at the participating organisations, and the bundling of expertise of the participating services constitutes an added value.

In 2005 the CT Infobox focused on its further development, more specifically on the further development and formulation of criteria to decide whether or not a subject will be taken up in the CT Infobox. In addition, procedures for investigations and background information have been developed and laid down. The advisory procedure has also been revised.

10.1.2 Police and Royal Military Constabulary

Late 2005 the project 'AIVD-Police-RID Information Chain and Quality' was finalised. The project was set up to improve the quality and effectiveness of the cooperation between the AIVD and the Regional Intelligence and Security Services. The project constitutes the basis for a new prominent role for the RID in the cooperation between the police and the AIVD. In the past year the project group's plans were adjusted to the recommendations of the Administrative Evaluation Committee for the AIVD on the exchange of information between the AIVD and the police. The project has resulted in specific proposals for improving the relationship with the intelligence functions within the regional forces. These proposals are now being implemented by various forces.

In addition, the introduction of the Intelligence Need Plan, which made concrete the cooperation between the RID and the AIVD, was completed.

In order to facilitate the drawing up and implementation of the intelligence need plans, the AIVD has reorganised its relations with the police and the RID by the introduction of account management. For almost all the regions intelligence need plans have been drawn up geared to the situation in the region in question. These agreements have been concluded by the management of the AIVD with the commissioners of police of the various affiliated regions. Efforts are being made to arrive at a variant of the intelligence need plan for the National Police Agency (KLPD) and the Royal Military Constabulary, because of their deviating structure. This trajectory is expected to be completed by early 2006. In 2005 the cooperation with the Royal Military Constabulary was further optimised by implementing the recommendations of the Netherlands Court of Audit relating to terrorism and border control.

10.1.3 Defence Intelligence and Security Service (MIVD)

On 8 July 2005 the AIVD-MIVD covenant was signed by the Prime Minister, the Minister of the Interior and Kingdom Relations and the Minister of Defence. The covenant intends to accomplish a structural intensification of the cooperation between the AIVD and the MIVD. The subjects of cooperation range from specific protocols in operational areas and the exchange of information to providing joint training programmes. The covenant's subjects and intentions have been worked out in detail by the services in thirty-three concrete and verifiable action items. The progress made on the items of action is monitored by the heads of service and the secretary-generals of the Ministries of General Affairs, the Interior and Kingdom Relations, and Defence. The AIVD-MIVD covenant implies that the annual plans of the services will be geared to one another. Such coordination is necessary to avoid tasks being carried out more than once and to obtain better insight into the mutual spheres of attention. The Netherlands Joint Intelligence Committee (CVIN) is responsible for drawing up the year plans. The year plans of the AIVD and the MIVD for 2006 have been adopted in the Council for National Security, under the chairmanship of the Prime Minister.

There is consultation with the MIVD on security screening and exchanging personal details. One of the AIVD-MIVD covenant's action items is that within the context of security screening the services exchange personal details in so far as necessary for the proper performance of their tasks.

10.1.4 National Counter-terrorism Co-ordinator

The National Counter-terrorism Co-ordinator (Dutch abbreviation: NCTb) was appointed in 2004 to further develop the cooperation between all the bodies involved in counter-terrorism in the Netherlands. The NCTb and its staff fall under the responsibility of the Minister of the Interior and Kingdom Relations and the Minister of Justice. From an organisational and management perspective the organisation has been incorporated into the Ministry of Justice in a way similar to that of a directorate-general. Early 2005 the staff of the NCTb officially commenced their activities.

The AIVD and the NCTb cooperate closely on a large number of cases. In July 2005 the AIVD and the NCTb agreed on a protocol on mutual cooperation and information exchange. Subjects on which the two services work together include the approach to hotbeds of radicalisation, drawing up the Current Terrorism Threat in the Netherlands, the further development of the Safety and Security system and the Warning System Counter-terrorism, and joint efforts against Chemical, Biological, Radiological and Nuclear (CBRN) terrorism.

10.1.5 Local authorities

As a result of the terrorist incidents in Amsterdam and The Hague in 2004 the Minister of the Interior and Kingdom Relations instigated a broad working group in early 2005; its brief was to advise on the provision by the AIVD and other national services of information to local authorities. Late 2005 the working group issued its report 'Vaste verbindingen' (Regular Communication) (see TK 29876, no. 9, 2005-2006), containing recommendations to promote the provision of information to mayors. For the AIVD the report means that measures are to be taken to timely and if possibly extensively inform mayors on developments that may be relevant to the performance of their tasks within the context of the local public order and security. The measures are of an organisational nature (for example the introduction of account management) and the implementation will be included in the development programme for quality and growth (Prospect 2007). The working group reached the conclusion that no statutory adjustments are required.

10.2 Cooperation with the overseas parts of the Kingdom

The intensification of the cooperation between the security services of the Kingdom, the basis for which was provided by an agreement signed by the heads of the Security Service of Aruba (VDA), the Security Service of the Netherlands Antilles (VNA) and the AIVD in 2004, was further given shape in 2005. This agreement provides a framework for joint investigations or providing assistance in investigations, vetting inquiries and the exchange of information. Agreements were also made on an intensive exchange of information and expertise on counter-terrorism.

Previous meetings between analysts of the services were followed up in 2005. The objective of such meetings is to exchange and share information on current issues. By providing technical support at a middle management level, the AIVD further contributed to professionalising the VDA in 2005. In order to further intensify cooperation in the region and to strengthen the access to information of the three services within the Kingdom in the Caribbean region and South and Central America, it was decided that an AIVD liaison officer will be stationed in Aruba in 2006.

10.3 European cooperation

The European multilateral cooperation between intelligence and security services is given shape in various European partnerships such as the Club of Bern, the Middle Europe Conference, the Counter Terrorist Group and the Joint Situation Centre of the EU Council Secretariat. In addition, European cooperation to a large extent takes place in The Hague in various consultative structures in which the Dutch position on certain policy dossiers is determined. In 2005 the AIVD participated in many of these structures, in which context efforts were made to incorporate insight obtained by the AIVD into the Dutch position on the relevant subjects.

The AIVD also regularly consulted with the European Coordinator for Counter-terrorism (EU-CTC), Gijs de Vries, in 2005. Whenever possible the European Coordinator was provided with information relevant within the context of his responsibilities. In addition, ideas were exchanged on how the Netherlands and in particular the AIVD could effectively contribute to counter-terrorism on the European level.

10.3.1 Club of Bern

In 2005 the Club of Bern (or Club de Berne, CdB), an informal partnership of security services of the countries of the EU, Switzerland and Norway, welcomed five of the ten new EU Member States as full members within the Club. The Hungarian, Slovenian, Czech, Polish and Latvian security services have joined the Club. Counter-terrorism remains a central focus of the CdB. In addition, attention is paid to subjects such as counter-intelligence and the proliferation of weapons of mass destruction.

10.3.2 Middle Europe Conference

The Middle Europe Conference (MEC) is a consultative forum for services of central European countries, which also includes several western European services, including the AIVD. The multitude of consultative bodies, combined with a convergence as to composition, has resulted in the AIVD reducing the prominent position it has occupied for over a decade. The AIVD is still involved in realising the expansion of the MEC with countries from former-Yugoslavia and Albania.

10.3.3 Counter Terrorist Group

In 2005 the AIVD was again closely involved in the development of the Counter Terrorist Group (CTG, the organisation of the intelligence and security services responsible for counter-terrorism of the EU Member States, Norway and Switzerland), as it has been since its formation in 2001. The AIVD was closely involved in the group's projects in the field of CBRN terrorism and the investigative methods into the use of the internet by terrorists. The AIVD initiated a project in which a comparative analysis was made of known cases of recruitment in CTG countries, in order to establish new clues for operational investigations into this issue. The chairmanships of the CTG (first half 2005 Luxemburg, second half UK) have reinforced the link with EU institutions. For example, the cooperation with SitCen, which began in 2004, was further developed and laid down in a Letter of Intent, containing agreements on the cooperation with Europol, and the EU ambassadors were informed of the cooperation within the group.

10.3.4 Joint Situation Centre

The Joint Situation Centre (SitCen) of the EU Council Secretariat commenced its activities in 2004 by producing counter-terrorism analyses based on information from intelligence and security services. In 2005 the AIVD made a substantial contribution to this by means of analysis capacity and providing information. Late 2005 agreements were made between the EU Council Secretariat and Europol on the exchange of information between SitCen and Europol. These agreements constitute a major improvement in the exchange of information between the intelligence and security services (which supply SitCen with their analyses) and Europol.

10.4 International cooperation

Within the context of international cooperation the AIVD's network of liaison officers plays a vital role. In addition, within NATO the AIVD participates in the NATO Special Committee, a partnership of the security services of Member States. In the third place communication between the services and the AIVD runs through officers of foreign intelligence services accredited by the AIVD.

In 2005 the AIVD facilitated the NCTb, in accordance with the protocol concluded between the two organisations, with its contacts with foreign intelligence and security services through the AIVD network of liaison officers and the secured communications the AIVD maintains with a large number of services all over the world. In 2005 the AIVD received visits from the parliamentary supervisory committees on the intelligence and security services of Switzerland, the Czech Republic and the United States. These committees visited the Netherlands to become acquainted with the system used in the Netherlands. A visit to AIVD was an item on the programme.

10.4.1 NATO

In 2005 there was still no clarity on the intended reorganisation of the NATO and the accompanying restructuring of the intelligence function within the alliance. The French chairmanship of the NATO Special Committee attempted to increase the visibility of the civil security services within the NATO organisation as a whole and its decision-making bodies in particular. Within the context of NATO the AIVD participates in contacts the alliance maintains with, for example, the North African countries, Ukraine and the Russian Federation.

10.4.2 United Nations

In 2005 cooperation with the UN was further given shape, in particular in the field of support for activities in the area of counter-terrorism of the various committees within the UN structure.

10.4.3 The AIVD's network of liaison officers and bilateral contacts

In 2005 the network was expanded with liaison stations in Djakarta, Islamabad, Riyad and Rabat. After consultation with the government of Aruba it was decided to definitely station an AIVD liaison officer in Oranjestad as from the first quarter of 2006. The stationing of a liaison officer in Ankara in mid-2006 is currently being planned. The AIVD stationed a liaison officer during the Olympic Winter Games in Italy and will temporarily station a liaison officer in Germany during the World Cup. These liaison officers serve to exchange security-related information as rapidly and effectively as possible between the organisation of the events and the AIVD.

10.4.4 Officers of foreign intelligence services accredited by the Netherlands

A growing number of foreign intelligence services have stationed officers in the Netherlands and applied for accreditation. Clear agreements are made between the AIVD and the foreign liaison offices on their relationship to the Dutch services and their room for manoeuvre on Dutch territory.

The development of worldwide communication networks keeps pace with the extension of the field of the AIVD's relations and the increase of areas of joint interest between the AIVD and other services.

10.4.5 International cooperation on security standards

Since September 2004 the AIVD has acted as chairman (for a period of two years) of the Common Criteria Recognition Arrangement (CCRA), an international consultative body for the mutual recognition between countries of certificates for IT security products based on Common Criteria.

In 2005 the Dutch system for certification of IT security (NSCIB), set up by TNO Certification BV with the assistance of the AIVD, received international recognition. This means that CC certificates issued by TNO will from now on be recognised in the 23 affiliated countries.

11 Management and organisational development

In 2005, the service's internal management was significantly influenced by the increased threat identified in respect of the AIVD. Among others things, this led to a major adjustment of the security level in and around the AIVD's premises, which involved the additional deployment of security personnel and additional, unforeseen investments.

Moreover, attention was required for the preparations for the AIVD's relocation to Zoetermeer in 2007. The Government Buildings Agency started with the first building activities for the renovation of the future accommodation. The next paragraphs describe the following subjects: personnel policy, the provision of computerised information, quality management, registration, documentation, archives and finance. The final paragraph concerns the obligatory 'management statement' made by the head of the AIVD.

11.1 Personnel

The quantitative growth of the AIVD that started in 2004 continued in 2005, as was recommended by the Administrative Evaluation Committee. The AIVD again appealed to plenty of people. The recruitment office was expanded to deal with the large number of applicants. In addition, an improved labour market communication strategy stepped up the effectiveness of the recruitment campaign. In 2005, the AIVD's staff increased by approx. 130 FTEs. The AIVD opted for a controlled growth scenario of 150 employees per year at the most, as it is of the utmost importance that new staff members receive due guidance and that they are sufficiently prepared for their job. For this purpose, the new staff members started by participating in a programme at the in-house AIVD academy, after which they received guidance from mentors, professional colleagues, in the workplace. With this growth scenario, the AIVD will have the desired number of staff by the end of 2008.

Both the large number of new personnel and the further development of our core competences require an increased investment in training and clear career development plans for employees as well as managers. In 2005, as part of the development programme, a start was made to elaborate this.

The recruitment and selection of interpreters and translators received ample attention in 2005. Consequently, the AIVD managed to recruit a number of interpreters/translators in 2005. In addition, a sound basis was laid for recruitment in 2006: a large, continuing recruitment campaign was launched in October, making use of various recruitment strategies (from general publications in the media to publications for target groups). The recruitment and selection procedure of these 'audio-processors' consists of many phases. Professionalism and integrity are key criteria.

11.2 Computerised information

The decision was made in 2005 to focus on modernising the integral information management processes in the functional innovation of the systems. In this context, a connection was made in 2004 with the interdepartmental acquisition of a document management system in Interlab. In view of the specific needs within the organisation, the decision was made this year to move on independently with own specific choices and innovative solutions. The functional innovation was further crystallised by means of a secure link between the network which can now be used to access information services of third parties and the internal confidential network. The facility has been made such that it allows for a flexible connection with new

information services. A first version of the AIVD Intranet was introduced to improve access to secondary information and increase team spirit. Further efforts were made to expand and develop the communication facilities with external parties and a major contribution was made to international cooperation in this area.

Finally, a lot of energy went into setting up a programme with requirements for the arrangement of the computer rooms, data exchange rooms, networks and technical rooms for the relocation of ICT infrastructure to Zoetermeer.

11.3 Quality management

Three (policy) evaluations and a second staff appraisal survey (MWO) were conducted.

The (policy) evaluations covered a broad area of work of the AIVD and related to:

- the outcome of the reorganisation of a vulnerable section of the AIVD;
- the incorporation into the organisation of the so-called notification obligation;
- the outcome of the incorporation into the organisation of the Safety and Security system.

The insights acquired were guiding in existing improvement programmes and also initiated some of them.

The second annual staff appraisal survey was conducted in December and had a response rate of 59%. By comparing them with the results from the first survey, the results provided an insight into the progress of the development programme of the AIVD for the following years. They will be incorporated in the follow-up programme.

11.4 Registration, documentation and archives

In 2005, a new document and workflow management system was acquired to replace our then current applications. In addition, preparations were made to organise this new system. Ample attention was paid to the incorporation of the Documentary Structure Plan into said system to guarantee the relationship between procedures and documents, as well as taxonomy to optimise the access to information.

Moreover, a start was made by the end of 2005 with a large-scale renovation (selection and material care) of the central (semi-static) archive.

11.5 Finance

11.5.1 Budget implementation

In 2005, the budget was approximately 17 million euro higher than in 2004 as a result of funds for extra manpower that were granted at an earlier stage following the attacks in the United States and Madrid and the assassination of Mr Fortuyn. In 2005, an amount of approximately 7.5 million euro was made available as additional budgetary funds following the Cabinet's decision on account of the recommendations made by the Administrative Evaluation Committee and the assassination of Mr Van Gogh.

The additional funds have been deployed to realise the intended increase in manpower and to make a start with investing in information management modernisation. Consequently, the Cabinet's decision to increase manpower could be implemented for the Safety and Security system, intensifying the analysis of phenomena and monitoring individuals in the sphere of terrorism and radicalisation.

Table 9 Budget (realisation figures)

	2004	2005
Staff	€ 52.2 million	€ 58.7 million
Materials	€ 32.2 million	€ 49.1 million
Secret budget	€ 3.1 million	€ 3.9 million

11.5.2 Management statement

The Director General of the AIVD has made the following statement concerning the service's management in 2005: In the financial year 2005, the AIVD systematically focused attention on management control, weighing the use of steering and control instruments on the basis of a risk assessment.

Explanation:

Planning and rendering account of the AIVD's activities have to meet requirements laid down in laws, regulations and circular letters. The most important ones relevant to management are the Government Accounts Act (and the ensuing regulation on Performance and Evaluation in the Central Government) and the government's Policy Document 'From policy budget to policy responsibility'.

In 2005, working agreements were made between the Secretary General and the Director General of the AIVD, and between the Director General of the AIVD and the AIVD directors. In 2005, year plans at a directorate level were also an important tool for working out the consequences of priorities the outlines of which were established earlier. In 2004 on regular occasions account was rendered on the AIVD's policy to the Minister of the Interior and Kingdom Relations by means of three-monthly progress reports on political administrative relevant results and adjustments to the year plan. Management reports were based upon working agreements. In addition to reports about the working agreements, insight into the results and the means used to reach the results was also provided by periodical internal management reports from the directorates.

In 2005, a systematic evaluation survey as described in the aforementioned regulation of Performance and Evaluation in the Central Government was conducted in connection with the incorporation of the Safety and Security system into the organisation of the AIVD. A study into counter-terrorism was postponed, because, as a result of a change in the service's internal study programming, this subject was already being examined from several angles. The results will be translated into improvement programmes, partly by means of the development programme Prospect 2007.

Attention was also paid to risk assessments for the service's management. The risk assessments were particularly focused on the most urgent risks involved in supportive procedures, on the basis of current process plans. At the same time, a start was made with the description of working procedures using the methodology that will be further implemented within the development programme Prospect 2007. Risk management failed to prevent several incidents from occurring in 2004 and 2005 in the sphere of integrity and information security (refer to paragraphs 9.2.1 and 9.7). In the further development of risk and procedure management, special attention will therefore be paid to taking control measures that are to contribute to minimising these types of incidents.

11.5.3 Departmental Auditing Service

In addition to the prescribed audits, audits were conducted in 2005 on information security and on the programme management of the development programme Prospect 2007. The Director General of the AIVD and the director of the Departmental Auditing Service discussed the interim findings in 2005.

11.6 Organisational development - Prospect 2007

In July 2005, the AIVD started with the implementation of Prospect 2007, the development programme for quality and growth. This multi-year programme constitutes the implementation of the recommendations made by the Administrative Evaluation Committee for the AIVD, which were adopted by the Cabinet. It has been supplemented with the AIVD's own insights. The basis of Prospect 2007 are four newly formulated core competences, which are defined as capacities (investigative, indicative, mobilising and acting) that need to be sufficiently ingrained in the service for it to adequately carry out its mission and hence its responsibilities. In the framework of Prospect 2007, the mission of the AIVD has also been redetermined:

The AIVD is responsible for national security by timely identifying threats and risks that are not immediately visible. For this purpose the AIVD conducts investigations both within and outside the Netherlands. The AIVD shares specific knowledge and information enabling partners and interested parties to take appropriate measures. The AIVD identifies threats and risks, advises and mobilises other parties and actively reduces risks itself. By doing so the AIVD fulfils its own role within the network of government organisations involved in the protection of national and international security.

With this *mission statement* the AIVD explicitly positions itself in the forefront of national security and the importance of sharing knowledge and cooperation with other parties is also emphasised. The concrete measures and actions for improvement included in Prospect 2007 serve to reinforce the core competences of the AIVD, both as to quality and as to quantity. Below is an overview of the most important results the development programme realised in 2005.

Growing intelligently and safely: the AIVD's growth to approximately 1,500 FTEs in 2009 requires enormous efforts in the fields of recruitment, selection and security clearance. The recruitment objective set for 2005 was achieved and resulted in a net growth of the number of service staff of approximately 130 FTEs. The revised basic training for all new staff members meets expectations and supports the change process the service has initiated. Meanwhile, a plan of action for the intensive guidance of new staff members has been completed.

Investigative competence: in order to improve the competence to make not immediately visible threats visible, a large number of improvement programmes were initiated in 2005, which are to result in a more effective deployment and larger yield of intelligence resources in 2006. The most important of said programmes is the deployment, as from 1 September 2005, of 'intelligence co-ordinators', who advise the operational teams on the combined deployment of intelligence resources and supervise the incorporation of new intelligence resources into the operational working procedures.

Indicative competence: in order to improve the competence of the AIVD to add significance and context to large quantities of multiple data and information, an internal examination was carried out in 2005 into the current level of the indicative competence of the AIVD. The results of the examination will allow the service to put into operation concrete organisational and qualitative improvements in its indicative competence in 2006. In addition, preparations were made to set up a new analysis and expertise unit in the sphere of terrorism and radicalisation.

Mobilising competence: the utilisation of knowledge and information by the AIVD is to result in useful action perspectives for partners and interested parties. A start was made to improve the mobilising competence by drawing up the year plan 2006. A large number of strategic partners were involved in formulating the year plan. This intensive cooperation signifies the start of a structured management of the AIVD's strategic relations, which will be further elaborated with the implementation of key account management in 2006. Moreover, cooperation agreements were entered into with various strategic relations; this allows the AIVD to create more realistic expectations for these relations and to respond to changing expectations and perceptions in good time. To conclude, preparations were made in 2005 to establish a permanent front office for a centralised reception of, transfer of and reply to questions and requests from partners and interested parties.

Action competence: to improve the AIVD's ability to independently minimise threats and risks, a draft arrangement was set up in 2005 in connection with the power to disrupt and a start was made with constructing a flexible disruption repertoire.

Support procedures: in the course of 2005 the blueprint of the service's new information architecture was established. In addition, two primary working procedures were described (both the existing and the intended situation). The eventual organisation of information management will be based on the descriptions of each working procedure of the service, which will be made available in the course of 2006. In the field of personnel management, preparations were made in 2005 for the implementation of a management development programme, a more dynamic training policy, stepped up internal mobility as well as an increased horizontal intake of personnel to perform managerial positions. In the field of internal and external communication, preparations were made to enhance communication between the various management levels, offer communication training to executives and intensify communication surrounding the AIVD products. In respect of the internal and external management of the service, a new year plan cycle was formulated and implemented in 2005, and the Reference Framework AIVD Management AIVD was determined.

Appendix 1 Legislation

On 17 October 2005, a legislative proposal on the rules regarding the processing of police data (Police Data Act) was submitted to parliament (Parliamentary documents II 2005/06, 30 227). The legislative proposal substitutes the current Police Records Act. As in the current Police Records Act, it stipulates that police records may be made available to intelligence and security services in so far as this ensues from Article 17 of the Intelligence and Security Services Act (Wiv 2002). In addition, Article 24 of the legislative proposal includes a separate provision for a direct computerised provision of police records to intelligence and security services. Currently, said provision is realised by applying Article 17 of the Wiv 2002; an example thereof is the computerised provision of data included in various police records at the National Police Agency for the activities in the CT Infobox. Pursuant to Article 24 of the Police Records legislative proposal, by order in council and on the recommendation of the Minister of Justice and the Minister of the Interior and Kingdom Relations jointly, the categories of police data qualifying for said manner of provision are to be designated. The preparation of the order in council started by the end of 2005.

On 7 April 2005, the legislative proposal on the amendment of the Intelligence and Security Services Act 2002 in relation to the implementation of a new Security and Safety system was submitted to the Second Chamber (Parliamentary documents 2004/05, 30 070). With this legislative proposal, the proposed legislative proposals included in the policy document New Safety and Security system (Parliamentary documents II 2003/04, 28 974, no. 2) were realised. Upon written and oral consideration, the legislative proposal was adopted unanimously by the Second Chamber on 22 November 2005. The legislative proposal is currently being discussed with the First Chamber. The amendment to the Intelligence and Security Services Act (Wiv 2002) is expected to be implemented by mid-2006.

By letter of 15 July 2004, written by the Minister of the Interior and Kingdom Relations, also on behalf of the Minister of Defence, an overview of the various proposals to amend Acts of Parliament pertaining to the intelligence and security services was sent to the chairman of the Second Chamber. The proposed amendments concerned the Intelligence and Security Services Act (Wiv 2002) and the Security Investigations Act (Wvo). The legislative proposal in which the post-Madrid proposals of said letter are incorporated and that serves to amend the Wiv 2002 was completed in 2005. The legislative proposal includes various amendments to the Wiv 2002, with the objective of intelligence and security services being able to work more effectively and efficiently. Among others things, it creates a platform for imposing information obligations to administrative bodies that are yet to be designated as well as categories of carrier and financial service provider. It also more explicitly specifies the possibilities of specific forms of data processing (data analysis) and expands the existing provisions on mutual cooperation between services and with other bodies. Upon adoption by the Council of Ministers end-December 2005, the legislative proposal was submitted for advice to the Council of State. The legislative proposal is expected to be submitted to the Second Chamber in the second quarter of 2006.

In 2005, the legislative proposal to amend the Security Investigations Act, whereby this Act is amended on the basis of the outcome of the feasibility test that was presented to the Second Chamber by letter of 11 October 2004 (Parliamentary documents II 2004/05, 29 843, no. 1), was nearing its completion. The legislative proposal also contains amendments to the Wvo in relation to advice given by the Committee Administrative Evaluation of the AIVD (Havermans

Committee) and the Oord Committee (Schiphol Access Control Committee). The proposed amendments relate to the definition of employer in the Wvo, the more efficient approach to safety investigations (on the basis of in-house investigations in police and justice files) and the information obligation of employers. This legislative proposal is expected to be presented to the Second Chamber by mid-2006, upon treatment in the Council of Ministers and following advice from the Council of State.

In 2005, the External Right of Complaint Act (Orders and Decrees 2005, 71) became effective. The Act complements the General Administrative Law Act with a provision on an ombudsman dealing with complaints on administrative bodies and it also amends several other Acts. Pursuant to Article VIH of said Act, Article 83 of the Wiv 2002 is amended. The amendment became effective on 15 March 2005. The core of the amendment is that, if in a complaints procedure by the National Ombudsman pursuant to Article 9:31 of the General Administrative Law Act the obligation is imposed to make available intelligence or to submit documents, the authority of the Ombudsman provided in Article 9:31, paragraph 5, of the General Administrative Law Act to decide whether or not a serious reason is justly relied upon to refuse the intelligence or documents or that they should be made available for perusal by the Ombudsman only, is declared non-applicable. The assessment of the Minister, the persons working under his responsibility or the Supervisory Committee is therefore conclusive.

Article IV of the Act to amend the Code of Criminal Procedure and other Acts pertaining to the adjustment of the authorisations to demand telecommunications data of 18 March 2004 (Orders and Decrees 2004, 105) provides for new Articles 28 and 29 in the Wiv 2002. These new articles pertain to the authorisation to demand 'traffic data' (i.e. data relating to a user's name, address, post code, place of residence, number and type of service) from the providers of public telecommunications services and telecommunication networks. The implementation legislation required for the entering into force of Article IV, which provides a comprehensive enumeration of the types of (traffic) data that can be demanded from providers of public telecommunications networks and services on the basis of the (new) Article 28 of the Wiv 2002, was established on 19 May 2005 (Order pursuant to Article 28 of the Wiv 2002). Consequently, the above Article VI could come into effect on 1 July 2005 as the Order pursuant to Article 28 of the Wiv 2002.

On 1 April 2005, the Act on intercepting costs and data processing came into effect. This ministerial regulation provides rules on the determination and reimbursement of costs that providers of a public telecommunications network or service are entitled to pursuant to Article 13.6, paragraph 2, of the Telecommunications Act. The basic assumption of Article 13.6, paragraph 2, is that the relevant provider is entitled to reimbursement of actual personnel costs and administration costs incurred for the execution of and directly deriving from an interception liability or demand for intelligence from state funds. The ministerial regulation determines which specific personnel and administrative costs are chargeable. This gives providers clarity on the subject matter and provides - in this case - the service with an insight into the work performed and the costs incurred for the relating activities.

On 27 May 2005, the Exemption Facility Different Use Frequency Range IVD came into force (Orders and Decrees 2005, no. 104). This ministerial regulation of the Minister of Economic Affairs and the Minister of the Interior and Kingdom Relations jointly is based on Article 3.10, paragraph 3, of the Telecommunications Act and stipulates in which cases, under regulations that are also determined by said ministerial regulation, exemption is granted from the permission requirement under Article 3.10, paragraph 2, of the Telecommunications Act.

Under the provisions set forth in Article 3.10, paragraph 2, of this Act, the Minister of Economic Affairs, in agreement with the Minister of the Interior and Kingdom Relations, may give permission for a use of a frequency range that is different from the use set forth in chapter 3 of the Telecommunications Act when such is necessary for the performance of the AIVD's statutory duties. This concerns, for example, the use of active scanning equipment for tracing numbers of (pre-paid) mobile phones to enable the effectuation of the authorisation to intercept telecommunications.

On 1 June 2005, the Order Security Data Interception Telecommunications (Orders and Decrees 2003, 472) became effective. This order, which was prepared in close consultation with the AIVD, for one, serves to implement Articles 13.2, paragraph 3, and 13.5, paragraph 2, of the Telecommunications Act. By virtue of Article 13.5, paragraph 1, of this Act, providers of public telecommunication networks or services are obliged to secure data relating to - in short - interception liabilities as well as demands from the service to provide data against examination by unauthorised parties as well as to observe secrecy in relation to said data. It is evident that observing this obligation is of the utmost importance; compromising these data may lead to it becoming known which persons are (were) subject to investigation by a service in the framework of the performance of duties. Pursuant to Article 13.5, paragraph 2, of the Telecommunications Act, rules may be laid down by order in council in connection with the measures to be taken as regards security. The order meant here is an elaboration thereof by further defining the various types of security measure the providers are to take.

Colophon

Published by

General Intelligence and Security Service (AIVD)
Communications Department
PO Box 20010
2500 EA The Hague
www.aivd.nl

Basic design

Buro van Berghenegouwen, The Hague

DTP and Printed by

Communication an Information Department
Ministry on the Interior and Kingdom relations

August 2006
43055/5398-GMD970