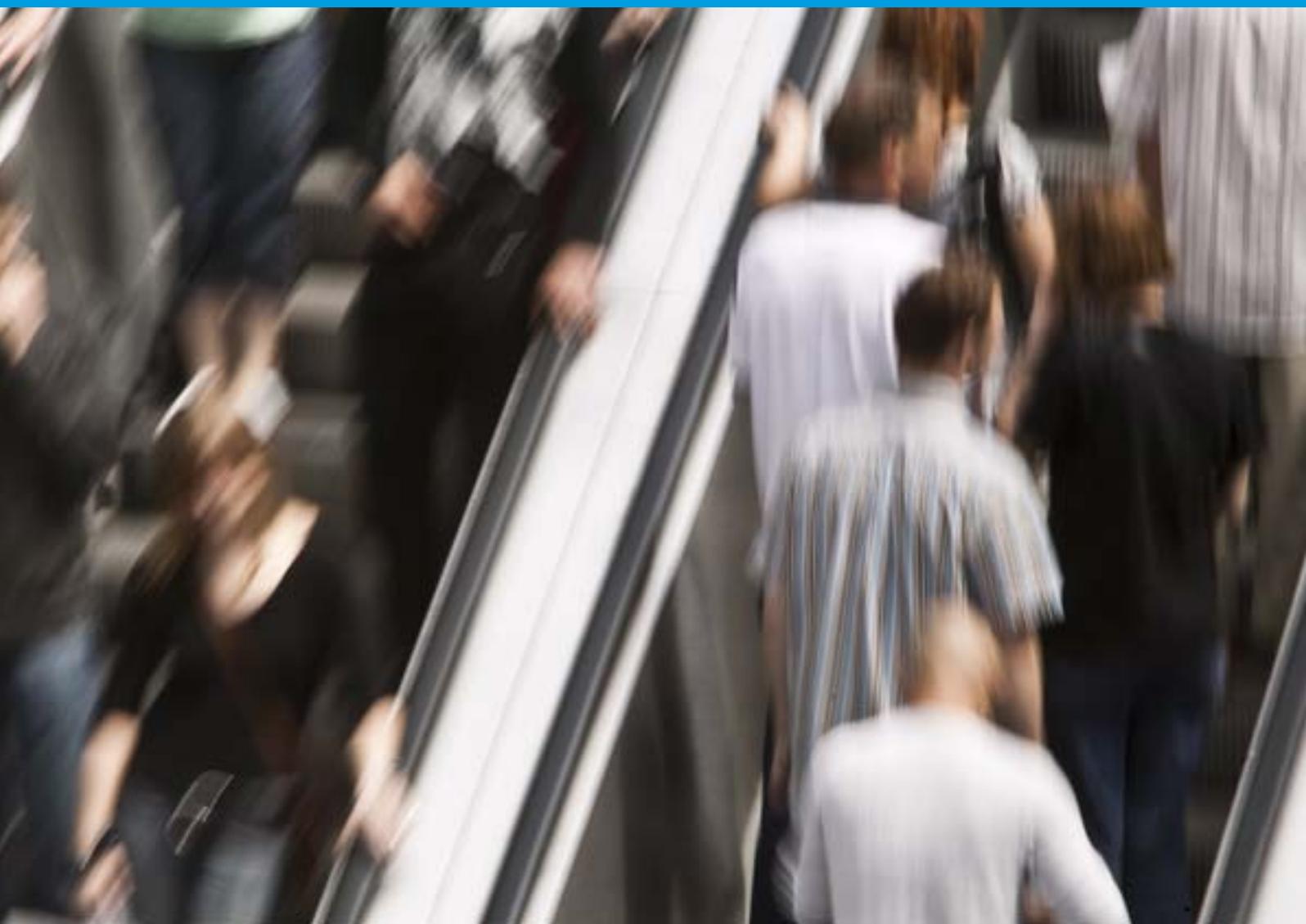




General Intelligence and  
Security Service  
*Ministry of the Interior and  
Kingdom Relations*

# Annual report 2009





# Foreword

This annual report is a public account of the activities of the General Intelligence and Security Service (Algemene Inlichtingen- en Veiligheidsdienst, AIVD) in 2009. It also enables the AIVD to provide an overview of its observations, actions and achievements across the full scope of its professional activities. Through this report, and within the limits of what is possible for a “secret” service, we hope to offer an insight into our work and into the contribution we make to a safe and secure society.

To an increasing extent, jihadist terrorists are operating internationally and are being inspired, directed, instructed, trained and financed from abroad. The threat to the Netherlands has acquired a strong international dimension and is also emanating from new regions, such as Somalia and Yemen. Events in or relating to the Netherlands can give rise to an international threat and, conversely, events abroad can have direct political and economic repercussions for our country. In this light, co-operation with foreign intelligence and security services is vital, and the services are very aware of their interdependence. An important part of the AIVD’s information originates from partner services abroad or is gathered in operational partnership with them. The AIVD, in turn, makes an important contribution to European and international security.

AIVD publications about the risks of Salafism and measures taken subsequently by the government, including local authorities, have helped increase resilience to radicalisation within the Dutch Muslim community. A major source of potential jihadist terrorism has thus declined, with the result that growth of the Salafist movement in the Netherlands is stagnating. Nonetheless, that movement continues to oppose integration and foster intolerance towards Dutch society.

The AIVD intensified its investigation of animal rights extremism in 2009. The service’s focus upon these activities, as well as those on the far right and left of the political spectrum, resulted in more official reports to the Public Prosecution Service (Openbaar Ministerie, OM) as well as generating information for local governments, companies and individuals who could become the targets. There were also multiple and early contacts with the police and local authorities about planned extremist acts.

Investigation into espionage by other countries has also been reinforced, and has helped to check specific



activities of this kind. Sharing information with partner services abroad has prevented several hostile intelligence officers from entering the Netherlands or other countries. Furthermore, the AIVD has notified various bodies – including government departments, local authorities, international organisations, companies and academic and scientific institutions – that they are potential or actual targets for intelligence activities.

The pace of technological progress has increased enormously in recent years, with developments succeeding one another more and more quickly. Examples range from the growing use of biometric data and encryption on the one hand to an intensification of cyberattacks on the other. In the near future, the AIVD will face the significant challenge of keeping up with and anticipating these developments in an operational setting. This technological race is going to require substantial investment over the next few years if the service is to keep its response up to the required standard.

In times of rapid technological development, threats that are difficult to comprehend and a high degree of uncertainty, the AIVD must be able to identify new potential and actual risks to national security. At the same time, it must not focus too long or too deeply on certain phenomena. Following on from the growth of recent years, organisational change was needed to better manage the service, to enable it to work more efficiently and – in particular

– to allow it to operate more flexibly and effectively. I am confident that the reorganisation carried out in 2009 will help the AIVD to perform its tasks more effectively and efficiently.

This year we celebrate the 65th anniversary of our organisation. On 29 May 1945, shortly after the liberation of the Netherlands at the end of the Second World War, the Bureau for National Security was established to conduct “all activities pertaining to the internal and external security of the nation”. Today, six-and-a-half decades later, the AIVD

continues to safeguard national security and protect Dutch democracy. Focusing upon the information needs of our government and public sector, whilst at the same providing information, analyses and advice of use to our partners and keeping an eye on the social and political environment, we operate at all times from a position of professional independence.

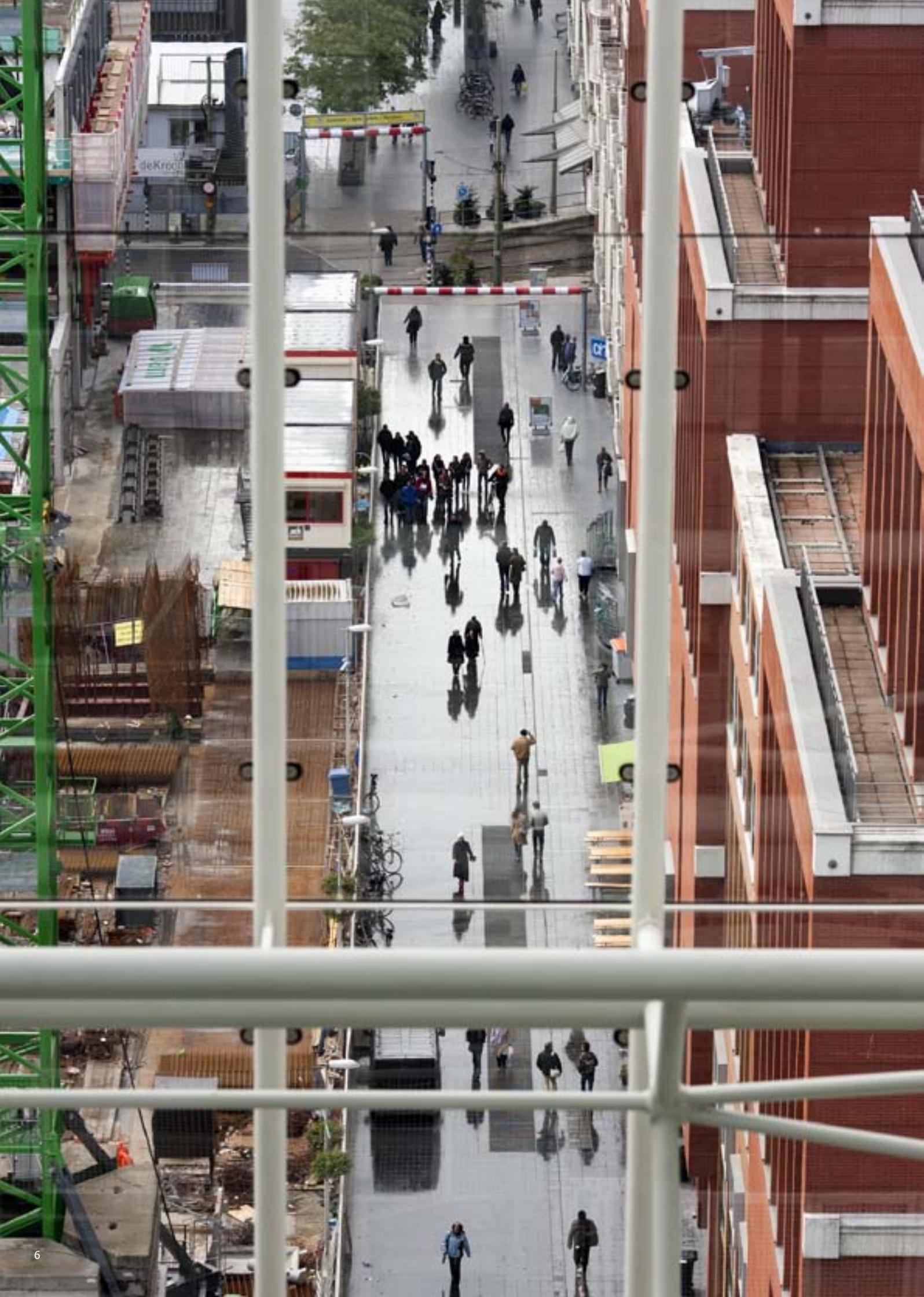
Gerard Bouman  
Head of the General Intelligence and Security Service



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# Mission, tasks and objectives

## Mission

The AIVD safeguards the national security of the Netherlands by identifying threats, political developments and risks which are not immediately visible in a timely manner. To this end, it conducts investigations both inside and outside the country. Where necessary, the AIVD shares information so that partners and other interested parties can take appropriate measures. The AIVD identifies risks and advises and mobilises third parties. If necessary, it actively works to reduce risks itself. The service thus has a clear position in the network of official organisations dedicated to the protection of national and international security.

## The mission explained

The AIVD carries out investigations in the Netherlands and abroad, in order to identify threats and risks to national security in time to respond to them. It also informs and advises public administrators, policymakers and other relevant parties at the local, national and international levels. Using the information received, they can then develop and adjust policy and take other appropriate action. The service thus has both an advisory and a mobilising role: its products, including official reports, may contribute to or trigger policy action, but they can also prompt preventive measures such as (heightened) security or enforcement activity – arrests based upon an official report, for example. The political intelligence gathered by the AIVD helps the government in determining its position on foreign policy and in conducting international negotiations. Under certain circumstances, and when no other effective measures are available, the AIVD itself may also act to reduce a particular risk.

## The tasks of the AIVD

Dutch law entrusts the AIVD with a number of tasks. These are described in Article 6, Clause 2, subclauses a-e of the Intelligence and Security Services Act 2002 (Wet op de inlichtingen- en veiligheidsdiensten, Wiv 2002). In carrying out those tasks, the service may make use of special investigative powers, which are also set out in the legislation. The Minister of the Interior and Kingdom Relations bears responsibility for the proper performance of the AIVD's tasks.

The AIVD performs its tasks in the interests of national security. As defined in the Wiv 2002, this comprises protection of the democratic legal order, national security or other important interests of the Dutch state. The AIVD enters the picture if any of these national or international security interests are at stake, and particularly if the risks or threats to them:

- are clandestine in nature – in other words, if they are invisible or difficult to detect by parties that do not have the AIVD's special investigative powers;
- are prompted by undemocratic political intentions or involve an attempt to change or disrupt our society through undemocratic means;
- could have a major impact upon the national or international security interests of the Dutch state and society.

## Tasks

The AIVD's legal tasks can be divided into a number of categories, which are summarised below.

**Task A** To investigate individuals and organisations reasonably suspected of representing a serious danger to the democratic legal order, to national security or to other important interests of the Dutch state.

**Task B** To screen candidates for so-called positions involving confidentiality, and also to issue recommendations on which positions should be designated as such.

**Task C** To promote security by interpreting information about threats and by sharing it as necessary with affected parties, and also to promote the security of information and communications.

**Task D** To conduct investigations in respect to other countries. This is also referred to as the intelligence task.

**Task E** As part of the national Safety and Security System, to compile risk and threat analyses geared towards protecting people, property and services in the national security domain.

In respect of Task A, the law does not specify what particular subjects the AIVD must investigate. The service determines these itself, using risk analyses, in close consultation with the intended recipients of its advice. The analyses weigh up the national security interests of the Dutch state and society, the risks or threats to them and the present level of resilience, which includes checking whether other government agencies are already involved in identifying or attempting to reduce the threat in question.

Task B – screenings candidates for positions involving confidentiality – has its own statutory basis, the Security Screening Act (Wet Veiligheidsonderzoeken, Wvo). The AIVD does not designate positions involving confidentiality – that is a task for the ministers in the relevant government departments – but it does support and advise those ministers through the *Designation Guidelines for Positions Involving Confidentiality* (Leidraad aanwijzing vertrouwensfuncties) and by means of impact analyses examining the extent to which national security could be harmed from a particular position.

The subjects for investigation as part of Task D task are set out in the Designation Order (Aanwijzingsbesluit), which is issued by the Prime Minister in consultation with ministers in the relevant government departments. This is preceded by a process in which the end users' interests and information needs are weighed up against the threat assessments compiled by the AIVD and the Military Intelligence and Security Service (Militaire Inlichtingen- en Veiligheidsdienst, MIVD), as well as their operational abilities and the risks involved.

As far as tasks C and E are concerned, choices as to which institutions, sectors or subjects to focus upon in terms of activities to promote security are in part the AIVD's own responsibility, based upon its expertise, and in part are made jointly with government departments or agencies.

## Objectives

For the next few years, the AIVD has drawn up several strategic objectives which are to guide and shape all its processes and activities. These goals are reducing risks to national security – and in particular preventing terrorist attacks –, recognising any relevant developments in the service's areas of interest and activity at an early stage, encouraging its partners and stakeholders to take action themselves, being one of the leading intelligence and security services in Europe and highlighting the added value it provides in the domain of national security. The strategic objectives form the basis for the service's planning, implementation and accountability cycle.

This annual report provides a public account of the AIVD's activities in 2009, which in turn were based upon the annual plan for the year under review. That was drawn up in consultation with the service's stakeholders, discussed in the Council for National Security and formally adopted by the Minister of the Interior and Kingdom Relations.<sup>1</sup>

<sup>1</sup> Letter to the Second Chamber of the States-General, 2008-2009 session, 30 977 no. 20, dd. 27 January 2009.





# 1 Terrorism

Due to its violent and disruptive nature, terrorism is one of the AIVD's key areas of special interest. In recent years, substantial investments have been made in the investigation of jihadist terrorism. Co-operation on this issue takes place both in the Netherlands and internationally.

## 1.1 Jihadist terrorism

Jihadists who live in the Netherlands and in many cases have roots here represent a potential threat to the country because of their contacts with foreign jihadist groups. Similarly, jihadists who have travelled to conflict areas constitute a threat to Dutch interests there and may ultimately endanger the Netherlands itself. Individuals who have joined the jihad elsewhere in the world can return after having been trained, possibly with instructions to commit acts of terrorism at home. In recent years, radical Muslims have left other Western countries as well as the Netherlands to travel to conflict areas. In time, these "Westerners" will constitute a threat if they return to Europe to perform or support a terrorist attack.

*The main threat no longer emanates from local jihadist networks, but from outside the country*

Due to a lack of leadership, internal tensions and successful government policy, local networks have been significantly weakened and have shown little activity for some time now. Some have changed their character to focus mainly upon the jihad outside the Netherlands. This is expressed in contacts with foreign jihadist factions, a desire to take part in the jihad in conflict areas elsewhere and a readiness to provide financial and organisational assistance to jihadists.

In July 2009 four Dutch men were detained in Kenya. They were suspected of being en route to Somalia to take part in jihadist activities there. The Public Prosecution Service has initiated criminal proceedings against the four. In an official report, the AIVD informed the Public Prosecution Service that three of the four men had expressed their intention to take part in the violent jihad.

The AIVD identified no signs of any specific threat from outside the Netherlands in 2009. However, for many reasons this "exogenous" threat is highly unpredictable and therefore uncertain. Firstly, it is difficult to obtain an insight into jihadist networks abroad. Secondly, the way in which jihadist terrorists time and target their attacks is partly opportunistic in nature. A variety of more or less random factors can play a role in this choice, such as the availability of people and resources. Thirdly, jihadist terrorists have a long time horizon. It can take a lengthy period to prepare an attack, during which time they may appear to be inactive.

*The threat from the Afghanistan-Pakistan border region is still present*

The root of the threat to the Netherlands and Europe still lies in the Afghanistan-Pakistan border region. In recent years, several individuals from the Netherlands have gone to this area to take part in the jihad. The region is home to a complex structure of co-operating factions and networks, some of which adhere to the ideology of the international jihad, such as core Al-Qaeda, the Islamic Jihad Union (IJU) and Lashkar-e-Taiba (LeT).

To date, these groups have focused mainly upon the struggle in Afghanistan and Pakistan. Their ideological background, however, gives reason to assume that some also intend to commit terrorist attacks in the West. This is certainly true in the case of core Al-Qaeda, which is located in this area. It, however, does not occupy a leading position in the region and is strongly dependent upon other networks for its activities. Nonetheless, core Al-Qaeda continues to exert a powerful pull on radical Muslims internationally as the "brand name" and ideology for the international jihad.

### *The threat from Somalia and Yemen is growing*

In 2009 the AIVD observed an increase in the jihadist threat from Somalia and Yemen. The political situation in Somalia remains unstable. Consequently, pirates in the waters off the Somali coast, along with jihadist factions such as Al Shabaab and Hizbul Islam, have virtually free reign. In the past year, Al Shabaab in particular has both reinforced its position and increased its appeal to jihadists worldwide. Al-Qaeda representatives have declared the country to be the “southern front” of the international jihad, and Al Shabaab has threatened to commit terrorist attacks in other African countries.

On 25 December 2009 the Nigerian Umar Farouk Abdulmutallab almost succeeded in committing a terrorist attack on Northwest Airlines flight 253 from Amsterdam to Detroit. Abdulmutallab tried to set off a bomb concealed inside his underwear. He told the US authorities that he had received training and instructions for the attack from Al-Qaeda in the Arabian Peninsula (AQAP) in Yemen. He stated that he had been radicalised six months before the attempt by listening to lectures by the radical imam Anwar al-Awlaki on the internet. AQAP has claimed responsibility for the attack and the AIVD considers it highly probable that that group did indeed prepare and direct it.

According to some media reports, in late January 2010 Osama bin Laden claimed responsibility for the failed attack in an audio message. However, the AIVD has determined that the message from Bin Laden should not be seen as an actual claim of responsibility, but rather as an endorsement of the kind frequently issued by various international jihadist organisations after an actual or attempted terrorist attack.

The failed attack of 25 December 2009 by Al-Qaeda in the Arabian Peninsula (AQAP) on Northwest Airlines flight 253 from Amsterdam to Detroit demonstrates the growing jihadist threat from Yemen. The political and security situation there is complex and disquieting. Yemen has a strong tribal structure over which the authorities have only very limited, if any, influence. Consequently, AQAP enjoys relatively significant freedom of movement in the country. Despite the attempted attack on the flight to Detroit, the AQAP's capacity to commit terrorist attacks outside the Arabian Peninsula is limited. One point of concern, however, is the presence and popularity of radical Yemeni preachers such as Anwar al-Awlaki and of the AQAP organisation on the internet, which could further inspire potential terrorists to commit crimes.

In addition, Yemen is a desirable travel destination for radical Muslims including, to a limited extent, Dutch residents. The purpose of these trips is educational, but it cannot be ruled out that Western or other radical Muslims or jihadists will come into contact with AQAP during their studies in Yemen. This seems to have been the case with the perpetrator of the failed attack on Christmas Day 2009.

The AIVD did not observe a specific threat to the Netherlands from Somalia in 2009. However, the service did identify signs that the jihadist struggle there is being supported from this country. Moreover, radicalised young people view Somalia as a destination for the jihad.

### *Al-Qaeda in the Islamic Maghreb more active outside Algeria*

Al-Qaeda in the Islamic Maghreb (AQIM) lost power in 2009 as a result of large-scale efforts by the Algerian security authorities. At the same time, however, it has become more active outside Algeria. Last year AQIM units were involved in violent attacks in Mauritania, Mali and Niger, often with specific Western interests as their target. As well as several attempted and successful kidnappings of Westerners, during which an American development worker and a British tourist were killed, the organisation was also responsible for a suicide attack on the French embassy in Mauritania. There are no indications that this threat will diminish in the short term.

### *Importance of the internet continues to rise*

Jihadist organisations use the internet to disseminate intensive propaganda intended to resonate specifically with young Muslims in Western countries. These messages are increasingly being issued in Western languages, thus widening their reach, and the whole propaganda machine is becoming more and more professional in nature. Every jihadist organisation now has an active online media department. The internet lends itself perfectly to international communication and therefore also plays its part in the contacts observed between local networks and foreign jihadist factions. It is also still being used as a tool for recruitment and to plan terrorist attacks.

## 1.2 Activities and results

### *Shifts in AIVD investigations*

The shift in the jihadist threat has led to changes in both the form and the content of AIVD investigations into terrorism. In 2009 the service shifted its focus somewhat, by reducing efforts to investigate local networks in the Netherlands. In joint reports, the AIVD and MIVD issued analyses on the threat from Yemen and Somalia and the AIVD intensified its investigations into jihadist networks related to these countries.

To identify new threats quickly, in 2009 the service invested in new types of investigation. These are intended to respond rapidly to leads concerning potential threats, in order to provide an initial assessment. If necessary, more extensive investigations can then follow. The case of a Somali man at a refugee centre in the town of Dronten illustrates this new approach in practice.

During the night of 7 November 2009, a Somali man was detained at the refugee centre in Dronten. He was suspected of carrying out activities in the US in support of jihadist factions in Somalia, including Al Shabaab. The US authorities submitted a request for legal assistance based on these suspicions. The AIVD provided official reports that contributed to the man's arrest.

One example of an acute manifestation of a potential terrorist threat was the bomb scare at locations including the IKEA store in Amsterdam on 11 March 2009. Whilst it quickly became clear that this did not involve an actual terrorist threat, the AIVD responded rapidly and provided Amsterdam-Amstelland police with information through the Regional Intelligence Unit (Regionale Inlichtingendienst, RID).

### *Analyses and publications*

The National Co-ordinator for Counterterrorism (Nationaal Coördinator Terrorisbestrijding, NCTb) is responsible for compiling and implementing a cohesive terrorism policy. In 2009 the AIVD continued to provide a large amount of information to the NCTb, such as numerous classified analyses about the jihadist threat. Based upon these analyses, at the end of the year the threat level was reduced from substantial to limited. Amongst other things, this change was informed by the AIVD's assessment that the Netherlands is no longer regarded by transnational jihadist networks as a specific preferred target and by its conclusion that the power of core Al-Qaeda to carry out attacks in Europe had fallen compared to 2008. However, jihadist terrorists continue to view the Netherlands as an "enemy of Islam" and hence a legitimate target.

As well as producing classified analyses, the AIVD also issued a public report entitled *Local Jihadist Networks in the Netherlands, changes in the threat assessment* (Lokale jihadistische netwerken in Nederland; veranderingen in het dreigingsbeeld). Through this publication, the service informed a general audience about the changes in the threat assessment described earlier.

### *Official reports*

The AIVD's investigation of the jihad related to Somalia resulted in several official reports to the Public Prosecution Service and the Immigration and Naturalisation Service (Immigratie- en Naturalisatiedienst, IND). A number of other such reports to the IND about specific persons leads to immigration decisions on its part, including one refusal of a request for naturalisation, a declaration that an individual was an undesirable alien and a rejection of a visa application.

The number of official reports submitted by the AIVD to the IND has fallen. In earlier years, due in part to the establishment of the Counterterrorism Infobox (CT-Infobox), the service produced numerous such reports about individuals who were under investigation.<sup>2</sup> In many cases, these resulted in persons not holding a Dutch passport being successfully detained under immigration law. However, it is not possible to use immigration legislation against Dutch citizens, or against people who are under investigation but not physically present in the Netherlands.

In January 2009 the AIVD submitted an official report to the IND which identified five American youths as posing a danger to national security. After completing jihadist training at a camp in Somalia, these young men wanted to travel back to the US via the Netherlands. Due in part to the AIVD's actions, they were prevented from making their return trip.

### *Disengagement more effective than deradicalisation*

In response to the threat from local networks, in 2009 the AIVD and a number of foreign partner services in the Counter Terrorism Group (CTG) conducted an investigation into deradicalisation: the renunciation of radical ideology. This study drew a distinction between deradicalisation and disengagement, when a person discontinues their radical activities but does not renounce the associated ideology. The AIVD has concluded that disengagement is far more prevalent among Dutch jihadists than deradicalisation. In other words, they have ceased their radical behaviour but

<sup>2</sup> See the Glossary for more information about the Counterterrorism Infobox.

continue to subscribe to jihadist ideology. The investigation also revealed that personal and external factors, in particular, play a major role in both deradicalisation and disengagement. However, the AIVD was unable to establish that ideology plays an important role in these matters. The conclusion drawn was that government policy should not focus upon deradicalisation alone, but also upon disengagement. Through this study, the service has made a contribution to the formulation of policy by the NCTb and the Ministry of the Interior.

#### *Internet investigations*

Internationally, the AIVD is a strong player in internet investigations. Factors contributing to this success include the way in which the service carries out such investigations and its initiatives in respect of international co-operation. Thanks to these efforts, in 2009 the AIVD was again able to make a substantial contribution to identifying and reducing international threats.

To pursue its financing activities, the organisation makes use of the many social and cultural associations in the Kurdish community. Often dedicated to supporting the lot of ethnic Kurds in Turkey, these also have an important social function within the community here. However, they allow the PKK to gain a foothold in that community.

In 2009 the AIVD submitted a classified analysis of the PKK's financing and facilitation activities to various ministries concerned with the issue. This document has assisted them in developing policies to curb those activities. In addition, the AIVD informed several local authorities about specific PKK activities in their areas. More such information will be provided in 2010.

### 1.3 Non-jihadist terrorism

#### *PKK financing and facilitation activities in the Netherlands*

The Kurdistan Workers' Party (Partiya Karkerên Kurdistan, PKK) is involved in an armed struggle against the Turkish army in south-eastern Turkey and northern Iraq. It has been on the European list of terrorist organisations, requiring that its assets be frozen, since 2001 and has been banned completely in the Netherlands since 2007.

Despite this, the PKK is actively involved in financing and facilitation activities in the Netherlands. It is also secretly raising funds within the Kurdish community here, putting the money towards media activities and to maintaining its existence in the Netherlands and Europe. In addition, it sends goods from the Netherlands to its armed units in northern Iraq to support their struggle against the Turkish army. The PKK's activities in the Netherlands are extensive, deep-rooted and well-organised.





## 2 Radicalisation

The AIVD conducts investigations into trends in radicalisation in the Netherlands, paying particular attention to radical and ultra-orthodox Islamic movements that constitute a potential threat to the Dutch democratic legal order. These include non-violent movements which, by means of their message, reach and activities, can contribute over time to social polarisation, intolerant isolationism and anti-integration trends. The service also examines whether these movements may form a breeding ground for extremism and jihadism.

### 2.1 Salafism

Within Salafism a current exists that uses activism to strive for the strict observance of Islamic law and rules – a trend which can result in intolerance and polarisation. Susceptible to this ideology, under its influence some young Muslims in the Netherlands and other parts of Europe are increasingly turning their backs on Western society.

In 2009 the AIVD issued a public report entitled *Resilience and Resistance* (Weerstand en tegenkracht), which discussed current trends and developments associated with Salafism in the Netherlands. One key change is that the four large Salafist centres here no longer serve as a breeding ground for jihadist terrorism. The Salafist mosques have openly declared their opposition to violence in the name of Islam and now turn away young people who sympathise with the violent jihad in order to prevent them from influencing other young congregants.

AIVD publications about the risks of Salafism, and the resulting measures taken by the national government and local authorities, have helped to create a situation in which the Dutch Muslim population's resilience in the face of radicalisation has risen. As such, a major breeding ground for jihadist terrorism has been diminished. A section of the Dutch Muslim community is now speaking out more frequently, both locally and nationally, against the anti-integration and intolerant isolationist message of Salafism. This increased resilience has caused the current stagnation in the growth of the Salafist movement in our country.

Greater resilience and the decline of breeding grounds for extremism and jihadism represent positive developments for the democratic legal order. Accordingly, during 2009 the AIVD scaled down its monitoring of the Salafist centres. Nonetheless, the government and other relevant parties

should retain their concern about Salafism because of the way its message is being spread outside the centres and because of its professionalisation as a movement.

The Salafist centres support an extensive network of travelling preachers. They give lectures throughout the country, and from time to time small centres open at which Muslims come into contact with their ideology. Salafist centres have also succeeded, in a professional manner, in obtaining grants from local and national authorities to finance such activities as homework assistance, cultural and sporting events or social services. In some cases, these funds are actually used to spread Salafist ideology.

In 2009 the Ministry of the Interior published a *Guide to Sham Politics* (Wegwijzer façadepolitiek), which provides tips to local authorities and other public bodies to prevent the potential misuse of grant funding by Salafist groups, and to counteract it where necessary. The guide's main message is that funding agencies cannot generally refuse grants to these organisations on formal or legal grounds, but they can conduct interviews and background checks to ensure that public funds are being spent appropriately.

The AIVD is also contributing its expertise to the Polarisation and Radicalisation Action Plan (Actieplan Polarisatie en Radicalisering). Co-ordinated by the Ministry of the Interior, this focuses upon prevention, identification and intervention. Dealing with polarisation and radicalisation is primarily a task for local authorities, with efforts at the national level aimed specifically at supporting and facilitating their approach. To this end, the Ministry of the Interior co-operates with other government departments and agencies, such as the Ministry of Housing, Planning and the Environment, the Ministry of Justice and the Ministry of Social Affairs and Employment.

## 2.2 Other radical Islamic movements

In 2009 the AIVD changed the way it investigates radicalisation. Rather than those minority groups in the Netherlands which are potentially susceptible to the message being propagated by radical and ultra-orthodox Islamic movements, the service now focuses upon the movements themselves and the potential threat they pose. Besides Salafism, a number of such movements are active in the Netherlands. They include the Muslim Brotherhood, Tablighi Jamaat and Hizb ut-Tahrir.

### *The Muslim Brotherhood*

The Muslim Brotherhood is a Islamic political movement with a hierarchical and international organisation. Its aim is to “re-Islamise” the Muslim community in Europe in line with ultra-orthodox teachings, in which Islam serves as the guiding force in all aspects of life. Accordingly, Muslims in Europe must hold on to their Islamic identity. The Muslim Brotherhood in the Netherlands shares these objectives. To achieve them, it is attempting to gain as much influence as possible within the Dutch Muslim community by establishing mosques and numerous associations and by organising conferences and meetings. It is also making an active effort to forge a network of contacts in politics, the government and civil society in order to promote the interests of the Dutch Muslim community. Whilst the Brotherhood mainly seems to be attempting to create a “Muslim-friendly” climate in Europe, it is not inconceivable that its extremely orthodox interpretation of Islam could potentially be at odds with the principles of the democratic legal order.

### *Tablighi Jamaat*

Tablighi Jamaat (literally: Society for Spreading Faith) is a classic missionary movement whose purpose is to reintroduce Muslims to ultra-orthodox Islam. Members spend several hours each day in religious studies and missionary activities, and peacefully share their faith with as many fellow Muslims as possible. The movement utilises active approach techniques, such as speaking to Muslims on the street. Tablighi Jamaat says it is not affiliated with any political movement and does not participate in violence. However, the ideology it carries out is at odds with certain fundamental Western values. For example, Tablighi Jamaat rejects such concepts as democracy, secular law and the individual right to self-determination. There are also indications that the movement may function as a breeding ground for the radicalisation of Muslims.

### *Hizb ut-Tahrir*

The international movement Hizb ut-Tahrir (Party of Liberation) states that the Koran and Islam offer a blueprint for an alternative form of government, which is essentially at odds and incompatible with democracy. The ultimate goal of Hizb ut-Tahrir is to establish an Islamic caliphate under Sharia law. Its ideology also has anti-Western, anti-Semitic and anti-integration elements.

Hizb ut-Tahrir in the Netherlands attempts to create loyalty amongst well-educated Muslims and converts by means of modern Islamic reasoning. On several occasions in 2009, the Dutch arm of the movement openly responded to international geopolitical developments. They included the economic crisis, the Israeli-Palestinian conflict in the Gaza Strip and events in Pakistan and Afghanistan. Hizb ut-Tahrir in the Netherlands organises public lectures on subjects of this kind with some regularity. Whilst the movement has not been very successful to date, it is quite conceivable that its message could eventually catch on with young Muslims. It should be stated, however, that resilience towards political Islamism in the Netherlands is relatively high.

Whilst these radical movements differ in both their ideological approach to Islam and their methods, there are also a number of similarities between them. For example, all consider Islam to be essentially incompatible with democracy and the accompanying secular authority. They are also characterised by ideologies which are, to a certain extent, anti-Western, anti-Semitic and anti-integration.

As yet, the reach of these movements in the Netherlands remains limited. But Salafism in particular has made considerable headway. In neighbouring countries, however, they have gained more support. This was one reason why the AIVD decided to intensify its focus upon them in 2009. Investigations have revealed that several of these movements are trying actively to increase their support and range of influence. As such, it is striking that Hizb ut-Tahrir and the Muslim Brotherhood, unlike Tablighi Jamaat, focus mainly upon young, well-educated second and third-generation Muslims and upon converts.

However, the methods they use to try to expand their support differ significantly. As already stated, Tablighi Jamaat is primarily a missionary movement in the classic sense of the word. It uses religious meetings, travelling groups of missionaries and speeches to call Muslims and converts to the true faith, or dawa. Hizb ut-Tahrir, on the other hand, employs more activist recruitment practices. This political Islamic movement makes use of resources like the internet, petitions, lectures and leafleting campaigns to bring its message to the people. It also has a more closed structure of instruction groups, at which so-called high potentials receive further education in the movement's ideology. Finally, members of the Muslim Brotherhood mainly try to gain influence behind the scenes in mosques, Islamic institutions and interest groups.

## 2.3 Moluccan activism

A shift in Moluccan activism was observed in 2009, with its focus moving away from activities in the Netherlands towards concern for the situation on the Moluccas themselves. Here, the movement is increasingly taking the form of a political lobby. However, certain events do still prompt political and ethnic activism within the Dutch Moluccan community. Examples include specific anniversaries, such as the celebrations to mark the founding of the Republic of the South Moluccas (Republik Maluku Selatan, RMS), as well as visits by and statements from Indonesian and Dutch dignitaries. There is also a response to developments and incidents on the Moluccas.

In addition, there were several incidents that were erroneously assigned a political dimension by the media. The most obvious example in the town of Culemborg, where youths of Moluccan and Moroccan origin clashed with each other and with police on a number of occasions in 2009. The AIVD believes that this was essentially a matter of public order, with those involved seeking to legitimise their participation in the unrest by making reference to political activism. Nevertheless, the service remained in permanent contact with local officials to interpret developments. The AIVD also shared its knowledge and expertise concerning the susceptibility of the Moluccan community to radicalisation with Regional Intelligence Units, the police and local and national authorities.



ANTIFASCISTISCHE

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ANTIFASCISTISCHE



WE ARE EVERYWHERE  
ANTICAPITALIST MOVEMENT

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genova - heiligendam  
globalismos  
capitalismus  
smash  
attaque la  
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周资本主义斗争  
كبرياء و استقامه

Kiralim  
forteresse europe  
capitalism  
abschaffen  
la resistencia  
La lotta continua

BURN THE EMPIRE

★ I LOVE MUSIC ★  
HATE FASCISM

TISCHE  
A

## 3 Political and animal rights extremism

Political and related extremism entails deliberate violation of the law – sometimes including acts of violence – by groups and individuals seeking to undermine the democratic decision making process. This goes beyond the disruption of public order, since it is about upsetting and endangering the democratic legal order.<sup>3</sup> In response, the AIVD conducts investigations into groups, organisations, fluid networks and individual extremists. From the earliest possible moment, the service is in frequent contact with the police and local authorities concerning expected actions. It also advises potential targets so that they can take the appropriate precautions.

### 3.1 Right-wing extremism

The fragmentation and internal discord which have characterised right-wing extremism in the Netherlands for many years continued in 2009. Compared with the previous year, public demonstrations were less frequent. This was due in part to the disappearance of several groups and movements. Generally speaking, the number of participants remained relatively stable at between 70 and 90. More people took part in some demonstrations, such as those in Maastricht in March and Venlo in September, but this can be explained by the fact that they were held near the border and also attracted foreign participants. Since 2007, the estimated number of active followers has fallen from around 600 to fewer than 300. The known groups continue to suffer problems retaining their supporters. As in previous years, therefore, the threat from right-wing extremists remains relatively limited.

The AIVD issued various official reports in 2009, as well as keeping local authorities informed by interpreting specific events and developments. This work can help those authorities to determine the best way to handle demonstrations by right-wing extremists.

#### *Neo-Nazism*

In 2009 the Dutch People's Union (Nederlandse Volks-Unie, NVU), the neo-Nazi movement which presents itself as a nationalistic political party, began making preparations to participate in the local council elections planned for 2010. It also organised several demonstrations. These passed off relatively peacefully, despite some violence from counter-demonstrators and a single incident caused by a demonstration participant.

Meanwhile, a rift within the National Socialist Action/Autonomous National Socialists (Nationale Socialistische Aktie/Autonomie Nationale Socialisten, NSA/ANS) split the group into two factions. The reason for this was that the dissidents considered the course set out in a political manifesto in the autumn of 2008 as too leftist.

Little remains of the Blood & Honour movement in the Netherlands, as is also the case in the rest of Europe. Two attempts were made to unite those elements still considered viable at a regional and local level, such as the National Socialist Front (Nationaal-Socialistisch Front, NSF) in eastern Groningen and Blood & Honour/Combat 18 Netherlands/Flanders in the Eindhoven region. However, these efforts did not succeed in resurrecting the movement. Local authorities took action against several NSF meetings because of indications that violations of public order were likely, either by participants or by their left-wing extremist opponents. The new Blood & Honour/Combat 18 Netherlands/Flanders was founded as the successor of the defunct Combat 18 Flanders, but its support has remained shaky due to a fierce internal power struggle. The two regional Blood & Honour groups in the Netherlands – Westland in the northern part of the province of Noord-Holland and Oostland in the east of Gelderland province – lead a weak and marginal existence.

<sup>3</sup> See the Glossary for definitions of “activism” and “extremism”.

In western Brabant, there is now a small active group consisting of local right-wing extremists who were previously associated with other sections of the movement. This group has already clashed with the left-wing extremists of Anti-Fascist Action (Antifascistische Actie, AFA), after a leftist infiltrator unmasked himself by taking part in the counterdemonstration against the NVU gathering in Venlo. Active mainly at the local level, the group originally called itself National Youth Brabant (Nationale Jeugd Brabant). Its intention, however, is to organise national activities and so it has now changed its name to National Youth Netherlands (Nationale Jeugd Nederland, NJN).

#### *The extreme right*

The AIVD monitors a number of ultranationalist groups and movements on the extreme right, of which Outpost (Voorpost) is the most active. In March 2009 this group held a demonstration in Maastricht against government drugs policy, which it considers too weak. On this occasion, its Dutch members were joined by several dozen Flemish supporters. Voorpost has also campaigned against paedophilia and on other “nationalistic” themes. Meanwhile, a group calling itself Gouda’s Glory (Gouda’s Glorie) organised a protest in Gouda against the trouble caused by young Moroccan delinquents.

#### *The unorganised extreme right*

The term “unorganised extreme right” refers to individuals, groups of youths and subcultures expressing extreme right-wing or racist sentiments, but generally without any deep-seated political motivation. Particularly at the local level, what are often perceived as statements of growing right-wing extremism actually tend to be more a problem of juvenile delinquency: a public order problem rather than a political one. Nowadays, the “Lonsdale youth” phenomenon of several years ago is rarely observed. This trend – dressing in a particular brand of clothing to express a group identity with racist overtones – has withered away and the young people involved seem to have grown out of it. There are no indications that they have further radicalised or have joined any known extreme-right or right-wing extremist factions or movements.

## 3.2 Left-wing extremism

The AIVD observed an upsurge in left-wing activism and extremism in 2009. This was associated mainly with the anti-fascist movement and opposition to Dutch asylum policy. The significant threat posed by the small circle of extremists calling themselves Anti-Fascist Action (Antifascistische Actie, AFA) continues undiminished. The AFA’s core group – several dozen people – did not grow in 2009, but the faction did manage to attract more followers.

#### *Anti-fascism: AFA*

Last year again saw threatened and actual confrontations between anti-fascists and their opponents on the extreme right. There were threats to public order in Amersfoort, Zoetermeer, Maastricht, Den Bosch and Venlo, when several hundred anti-fascists descended on demonstrations by the NVU.

The way in which AFA operates is relatively new: mainly local groups and individuals – from Muslim organisations to football hooligans – are provoked into taking part in activities like counterdemonstrations against right-wing extremists. In this way AFA regularly incites riots and disturbances without the core group being visibly involved. First observed in 2008, this tactic continued to be used last year. AFA organises activities against the NVU under the cover name Don’t Let Them March (Laat Ze Niet Lopen, LZNL). In some cases, the resulting confrontations have escalated into violence. This was particularly the case in Maastricht and Venlo last year, when both sides were joined by a large number of German and – to a lesser extent – Belgian sympathisers.

As well as LZNL, AFA has also set up a working group specifically targeting the Freedom Party (Partij voor de Vrijheid, PVV) led by Geert Wilders. In the run-up to the local council elections of 2010, this group closely studied all the PVV’s movements and intentions. As is also common in the mainstream, AFA scrutinised the party’s lists of candidates as well. It also monitors other parties it views as extreme right-wing, such as former Minister of Immigration and Integration Rita Verdonk’s Proud of the Netherlands (Trots op Nederland, ToN). In February 2010 the AIVD informed all mayors in the Netherlands about the AFA’s working methods.

In its investigations into anti-fascist extremism, the AIVD maintains close contacts with police Regional Intelligence Units (RIDs). Together, the activities of the AIVD and RIDs have helped to avert a number of imminent confrontations between anti-fascists and the extreme right.

### *Increasing opposition to Dutch asylum and immigration policy*

Having become increasingly well-organised in the recent years, radical opposition to Dutch asylum and immigration policy intensified during 2009. The modus operandi of its opponents is similar to that pioneered by the anti-militarists and anti-imperialists of the 1980s and 1990s, and also used today by animal rights extremists. The AIVD has observed an closely related pattern of legal and illegal activities, with a particular increase in unlawful acts of intimidation.

As in the previous year, 2009 saw extensive use of the “naming and shaming” technique. New lists containing hundreds of names of organisations and individuals involved in implementing asylum policy were distributed on the internet. Two of these people were subject to so-called “home visits”, which resulted in vandalism and damage to houses and cars. Information provided by the AIVD has raised awareness about such tactics, thus making their use more difficult.

In August 2009 a fire was set at the future Rotterdam Airport detention centre, destroying an on-site construction office. Shortly afterwards, internal documents from a new organisation, the Asylum Extremism Research Collective (Onderzoeks Collectief Asie/extremisme, OCA), appeared on the internet. It is possible that the published information was stolen before the arson incident. In the meantime it has become clear that opponents now plan to focus their activities upon a large centre for failed asylum seekers, the Schiphol-West project, work on which is due to begin in 2010. They apparently hope to influence political decision making on this matter by holding a noise protest in the local council chamber in Hoofddorp.

In 2009 the AIVD issued a public document on the growing resistance to the Dutch asylum and immigration policy, *The Flames of Resistance* (Het vuur van het verzet). Investments were also made in providing information to companies and organisations that form potential targets for activists. In collaboration with the Ministry of the Interior’s Polarisation and Radicalisation Project, and at the request of the Ministry of Justice, presentations were held about expected actions and the precautions that could be taken. After the publication of *The Flames of Resistance*, various stakeholders were provided with further explanation of matters it raised.

AIVD activities have resulted in a better understanding of the principal targets and plans of the opponents to the asylum and immigration policy. The service also remained in contact with the relevant RIDs about expected activities, which helped to ensure that they remained under control.

## 3.3 Animal rights extremism

Although the number of animal rights extremists active in the Netherlands has remained more or less constant, the AIVD has observed a rise in the number of groups acting in their name. There is a core group of several dozen activists, who are sometimes joined in their public activities, in particular, by sympathisers such as anti-fascists. And the core group includes a small number of individuals who are responsible for clandestine nocturnal activities such as vandalism and animal releases.

The willingness of the small hard core of animal rights extremists to commit acts of intimidation or violence is growing. The methods previously used – threats, damage to property and “home visits” – are now making way for even more radical and extreme activities. One new development is a rise in activism undertaken by individuals acting autonomously, not as part of any organised group. This phenomenon has been observed in the opposition to hunting, for example.

In 2009, for the first time in several years, there were large-scale releases of mink from Dutch farms. One of these actions, at Stavenisse in the province of Zeeland, was carried out by an activist who had become well-known in the media as the ‘Vegan Streaker’. He was arrested thanks to an alert local resident. Shortly afterwards, the magazine *Revu* published an article about the incident in which the Vegan Streaker admitted to an earlier arson attack in Vught – a matter which had previously prompted the AIVD to submit an official report about the man to the Public Prosecution Service. In the autumn of 2009 there was another release of mink at Barchem in the province of Gelderland. Three people were subsequently arrested. Again, the AIVD had already submitted an official report on the main suspect to the Public Prosecution Service (Openbaar Ministerie, OM) and the National Criminal Investigation Service (Nationale Recherche).

Due to a combination of tougher government policy and refinement of the distinction between activism and extremism, animal rights extremists are now aware that they are being monitored. As a result, at least some of them have begun operating in a more clandestine manner in an effort to avoid scrutiny. Just as with left-wing extremism, legal and illegal activities are becoming more interconnected and the groups involved are attempting to present an acceptable face to the outside world as legitimate political and social activists.

#### *Coalition Against Animal Testing*

In this vein, the Coalition Against Animal Testing (Anti Dierproeven Coalitie, ADC) has established a foundation to organise a so-called “civic initiative” against experiments on dogs and cats. By collecting 40,000 signatures on a petition, the ADC hopes to place this issue on the political agenda. That this is merely a front for more sinister activities is evident from the fact that, at the same time as launching the legitimate petition, the Coalition has been bombarding researchers and universities with sometimes threatening e-mails. The ADC also continues to agitate against the importation of monkeys and their use in experiments. More activities on this front are expected in 2010.

#### *Respect for Animals*

A new development in 2009 was the formation of a coalition between animal rights extremists and their political left-wing counterparts. As a result, the leftist animal rights group Respect for Animals (Respect voor Dieren, RvD) called in the help of anti-fascists on several occasions last year. In return, RvD increased its presence at AFA demonstrations. Respect for Animals mainly campaigns against the fur trade and circuses. This meant that it occasionally crossed paths with the group With the Animals Against the Beasts (Met de Dieren Tegen de Beesten), an extreme-right organisation which – often operating in conjunction with the nationalist group Voorpost – targets circuses as well as supermarkets where halal meat is sold. Because Respect for Animals sees animal rights as an issue exclusive to the left of the political spectrum, scuffles broke out between its activists and their rivals from With the Animals... on a number of occasions – with the former being primarily to blame. Nonetheless, Respect for Animals continues to grow as a movement, with a new subgroup being formed in the east of the country last year. The group’s ranks were also swelled by the return of activists from Stop Huntingdon Animal Cruelty Netherlands (SHAC Nederland), which had split from it in 2008.

The AIVD intensified its investigations into animal rights extremism in 2009. This resulted in, for example, the publication *Animal Rights Extremism in the Netherlands: Fragmented but Growing* (Dierenrechtenextremisme in Nederland: gefragmenteerd maar groeiende), which describes the above developments in greater detail. Before and after the publication of that report, the service provided information to companies and institutions being or likely to be targeted by extremists. In several cases, information was also provided to the local authorities to further explain developments in their areas. Moreover, several official reports were submitted to the Public Prosecution Service. Providing investigators with details of radical activists, led to a number of arrests in mink release cases.





## 4 Clandestine activities by foreign powers

Foreign governments use various methods to gather sensitive political, military, technical, scientific and economic information in the Netherlands, or to secretly influence Dutch political and official decision making. The foreign intelligence services of the countries in question are usually deployed for this purpose. These activities can cause significant damage to national security and harm national sovereignty. The AIVD therefore works to recognise, prevent and help combat them.

The Chinese government is still clandestinely active in the Netherlands. Major targets are the technical and scientific sector, the defence industry and Chinese minority groups. By placing pressure upon the public and the cultural sectors, the Chinese government has tried to negatively influence decision making with respect to such minorities. This occurred, for example, in the run-up to the Dalai Lama's visit to the Netherlands.

### 4.1 Forms of clandestine activity and interference

#### *The threat from digital espionage is growing*

Intelligence services have various ways of acquiring information. Increasingly often, they are using technical means to intercept information from a distance. Telecommunications traffic is extremely vulnerable to this because it can be intercepted. Sensitive data on computer systems is also vulnerable, because of the increasing interconnection and complexity of the systems themselves and because of their links with data storage systems. Espionage risks are also associated with outsourcing activities, such as system and server management, data warehousing and data processing, to private parties at home and abroad.

Because espionage is increasing internationally, the AIVD conducts investigations into the nature, scope, damage, targets and origin of digital attacks. In the Netherlands, the service has observed a number of digital attacks from various countries. These have become increasingly focused and specific in nature. In particular, the public sector and the business community are targets of digital espionage. Attacks are generally carried out by means of e-mail messages with a contaminated attachment, so-called "trojans". In many cases, attackers first conduct extensive research into their target and then use this knowledge to try to create an authentic-looking, personal e-mail so that there is a good chance that the message will be opened by the recipient. Digital attacks are also carried out through the contamination of websites, hard drives, USB drives, CDs and DVDs.

#### *More traditional forms of interference continue to be used*

Besides the technical route, intelligence services also attempt to gather relevant knowledge from people who have direct or indirect access to information. The Netherlands is an appealing source for various reasons. After all, our country is a member of many important international organisations and co-operative partnerships, and also home to a significant number of international organisations. Moreover, the Netherlands has a highly developed, internationally oriented economy and an open society. The presence of resident immigrant communities, too, has attracted the attention of various intelligence services, which sometimes attempt to clandestinely exert influence these and their members.

The activities of Iranian intelligence services in the Netherlands are geared towards combating groups and individuals that the Teheran government considers a danger to its existence. In addition, these services attempt to gather political, economic and scientific information both from Dutch public authorities and from companies and international institutions located in the Netherlands. Iranians living in this country are sometimes put under pressure to conduct espionage. Both suspected and actual members of the Mujahedin-e Khalq (MKO) and supporters of the Iranian opposition are targets of these intelligence and influence activities, which infringe the fundamental rights of Dutch residents and may constitute a danger to the security of these individuals or of their relatives in Iran.

#### *The Dutch people underestimate espionage risks*

A wide-ranging investigation by the AIVD has confirmed that awareness of the risks posed by espionage in the Netherlands remains generally low. There is a widespread lack of understanding of the value of information, how to secure it and how to assess what interests it may serve. People in this country often fail to realise that the Netherlands possesses valuable information, confidential or otherwise, which foreign governments would very much like to obtain. Organisations do not always pay enough attention to security and safety. Nor is the risk of strategic knowledge or activities relevant to national security being leaked to sources abroad in the long term sufficiently considered. There is very limited awareness, too, that other countries are actively trying to influence Dutch policy and decision making processes in a clandestine manner.

Russian foreign intelligence services are clandestinely active to a significant extent in Europe, including in the Netherlands. Their primary targets are NATO, the technical and scientific sector, the defence industry and the energy sector. The AIVD has also established that the Russian services have demonstrated undiminished interest in Dutch citizens who play or will play a role in policy and decision making processes that affect Russian interests.

## 4.2 Activities and results

In 2009 the AIVD stepped up its investigation of the undesirable clandestine activities by other countries, and also commenced several new investigations. The service made investments in both long-term issues and short-term investigations in response to reports received. These identified intelligence activities by various countries, prompting a variety of countermeasures. For example, the AIVD informed those government agencies which are authorised to take action, as well as specific institutions being targeted by intelligence activities: government ministries, local authorities, international organisations, private companies and scientific institutions.

A number of specific activities by other countries were terminated as a result. In addition, the AIVD acted autonomously in a number of cases – by, for example, confronting individuals with their activities on behalf foreign intelligence services in order to disrupt those activities and prevent their continuation or repetition.

The AIVD works closely with the MIVD in the fields of counterinterference and counterespionage. This co-operation ranges from sharing information to conducting joint investigations into individual suspects. The two services also join forces to prevent or terminate undesirable activities by foreign intelligence services.

In its investigations, the AIVD has also worked intensively with partner services abroad. Co-operation in this case varies from operational collaboration to jointly identifying activities by foreign intelligence officers, as well as sharing information and investigative methods. The AIVD has also informed fellow intelligence and security services – and has been informed by them – about individuals who, for example, are developing intelligence activities under diplomatic cover. Moreover, the AIVD has organised meetings for intelligence and security services to improve the structured co-operation between them on particular subtopics. These efforts have prevented several hostile intelligence officers from entering the Netherlands or other countries.

To gain a better impression of the risks run by the Netherlands and to arrive at recommendations as to how the threat can be reduced further, in 2009 the AIVD and the Directorate-General of Security at the Ministry of the Interior conducted a joint investigation into espionage risks within government and in the business community. Based upon conversations with parties from various sectors, as well as operational information drawn from AIVD investigations, an overview was compiled of the kind of information that, for reasons of national security, should not fall into the hands of foreign governments.

The espionage risks to which the Netherlands is exposed in respect of that information were also surveyed. The results of this investigation will be submitted to the Parliament in 2010.

The AIVD has also intensified its effort to increase security awareness in the Netherlands by providing information to the public. The service offers customised advice to relevant national and international organisations, public agencies and people in the business community, so that they can take precautions to counter possible intelligence activities. The information provided may range from a presentation to a broad group within an organisation to a dialogue arising out of specific incidents. In 2009 the AIVD and MIVD jointly developed educational materials to promote security awareness.

A number of brochures designed to increase organisations' risk awareness can be downloaded from the AIVD and MIVD websites. These are available in both Dutch and English.

- *Espionage in the Netherlands: what are the risks?* describes the various forms of espionage and intelligence activities observed by the AIVD in the Netherlands, and the associated risks.
- *Espionage when travelling abroad: what are the risks?* offers tips to limit the risk of exposure to espionage before, during and after a trip abroad.
- *Digital espionage: what are the risks?* explains how foreign intelligence services use electronic media and provides tips to limit the risk of falling victim to digital espionage.

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# 5 Foreign intelligence

## 5.1 The Designation Order

The foreign intelligence needs of the Dutch government are determined by the Prime Minister, in consultation with the Ministers of the Interior, Defence and Foreign Affairs, which are then set out in the so-called Designation Order (Aanwijzingsbesluit)<sup>4</sup>. The current Designation Order is in effect from 2008 to 2012. The four-year term is needed to enable the AIVD and the MIVD to build and maintain an effective intelligence position over a longer period.

The intelligence collected provides the Dutch government with information that it would find difficult or impossible to obtain by other means, such as through diplomatic channels. The goal is to discover the actual intentions of governments, individuals and groups. The AIVD focuses upon both the domestic and the foreign politics of a country. In addition, government institutions, non-governmental organisations and influential people in these countries can be the subject of intelligence gathering.

Political intelligence is collected by means of country studies, exploratory studies and quick-response studies. The joint Counterproliferation Unit (Unit Contraproliferatie, UCP), operated together with the MIVD, gathers intelligence related to the proliferation of weapons of mass destructions and their means of delivery (see next chapter).

## 5.2 Trends and developments

The geopolitical balance of power and the international legal order are undergoing huge change. Major new players on the global stage have their own very specific and varying opinions about the international legal order and the associated rules. These parties are displaying self-assurance and assertiveness in promoting their political, economic and military interests. In addition, more offensive intelligence activities are being utilised in the battle for scarce raw materials.

### *Energy*

The credit crisis significantly influenced the energy market in 2009. After the summer of 2008, the shortage in the oil market turned into a surplus because of rapidly falling demand. The price dropped from almost USD 150 to under USD 40 per barrel. Prices rose again in 2009 as a result of OPEC production limits, but not before the oil-exporting countries had experienced major budgetary problems in the interim.

Natural gas prices in long-term contracts follow the movement of oil prices, although with some delay. One important new factor in this market has been the rapid development of the shale gas extraction – natural gas obtained from rock – in the United States. As a result, US demand for liquefied natural gas (LNG) collapsed and its price fell below that of piped gas. Consequently, LNG emerged as an attractive alternative energy source for Europe. This has reduced the risk of a gas crisis like the one which threatened Europe in early 2009 due to the dispute between Russia and Ukraine.

Problems seem likely to arise after the recovery of the world economy, since the larger and most easily accessible oilfields are going to be exhausted quickly, with alternative supplies obtainable only with far greater difficulty and at high cost. Although urgently needed, the necessary investments in energy production have not been made due to the credit crisis.

### *China*

China is an important player both regionally and internationally. The manner in which it has undertaken activities throughout the world to secure its energy and raw material needs is clearly visible, with the country taking a self-confident stance in this respect. When it comes to sensitive subjects such as Taiwan and Tibet, China does not hesitate to prevail upon other countries to subscribe to its perspective by means of trade and political measures.

<sup>4</sup> The Designation Order is in two parts, one of which is public, the other classified. For obvious reasons, details of the countries where investigations are conducted and the questions asked are classified, as are the reports on the progress and results of the investigations.

#### *India and Pakistan*

Like China, India is profiling itself as an emerging political and economic superpower. The ethnic and religious diversity in the region and the rivalry between the nuclear powers Pakistan and India created clear tensions in 2009. The relationship between the two countries cooled significantly after the Mumbai terrorist attacks in November 2008. The peace talks between Pakistan and India have remained at a virtual standstill during the past year. At the end of 2009, however, the two governments did seem somewhat more willing to participate in talks about Kashmir and other subjects.

The stability of the region is strongly impacted by developments in Pakistan. Its government's contribution to Western counterterrorism activities in the border regions with Afghanistan has caused considerable tension in Pakistan itself. The power of the Pakistani army is still crucial to the stability of the country.

#### *Iran*

The situation which arose after the presidential elections, the country's nuclear ambitions and the Revolutionary Guard's increasing hold over Iran's politics, its economy and its military complex are all developments with unpredictable outcomes. The precarious political situation is being further exacerbated by the poor state of the economy. The economic crisis has hit Iran hard. The government has less money to spend, but this has not yet led to the elimination of all the food and energy subsidies provided to the population. The Iranian regime is currently doing everything it can to fight popular unrest. In its foreign politics, Iran is aiming for a prominent role in the region.

#### *The Middle East*

The lack of tangible developments in the peace process has maintained the high level of tension in the Palestinian territories and the surrounding countries, as well as continuing to foster the region's role as a breeding ground for radicalisation, terrorism and anti-Western sentiments. The tensions in the Palestinian territories between Fatah and Hamas could spread to the refugee camps in Lebanon in the future, with all the associated consequences for regional stability. Syria seems to have adopted a largely opportunistic foreign policy strategy, focusing alternately on the West, the Arab countries and Iran, with its own interests serving as the one constant guiding force.

#### *Africa*

To an increasing extent, Africa is becoming the continent of failing states and regions. There is a constant risk of new, violent and often cross-border conflicts breaking out as a result of ethnic tensions and poor economic conditions. The failure of government institutions has made many African countries vulnerable to terrorism, violent coups, international organised crime, much of it drug-related, and corruption. The Netherlands has ties with a number of countries in this region, based upon trade and development assistance. Dutch interests and nationals in these fragile states, regularly experience the negative consequences of this situation. The developments in West Africa, the Horn of Africa, the Great Lakes region and Zimbabwe are evidence of this.

#### *Latin America and the Caribbean*

Developments in Latin America and the Caribbean directly affect the national security and interests of the Kingdom of the Netherlands. Along with the Netherlands Antilles and Aruba, the Netherlands is being drawn against its will into political conflicts between Latin American countries. These disputes have been mainly rhetorical to date, but the situation could potentially escalate further.

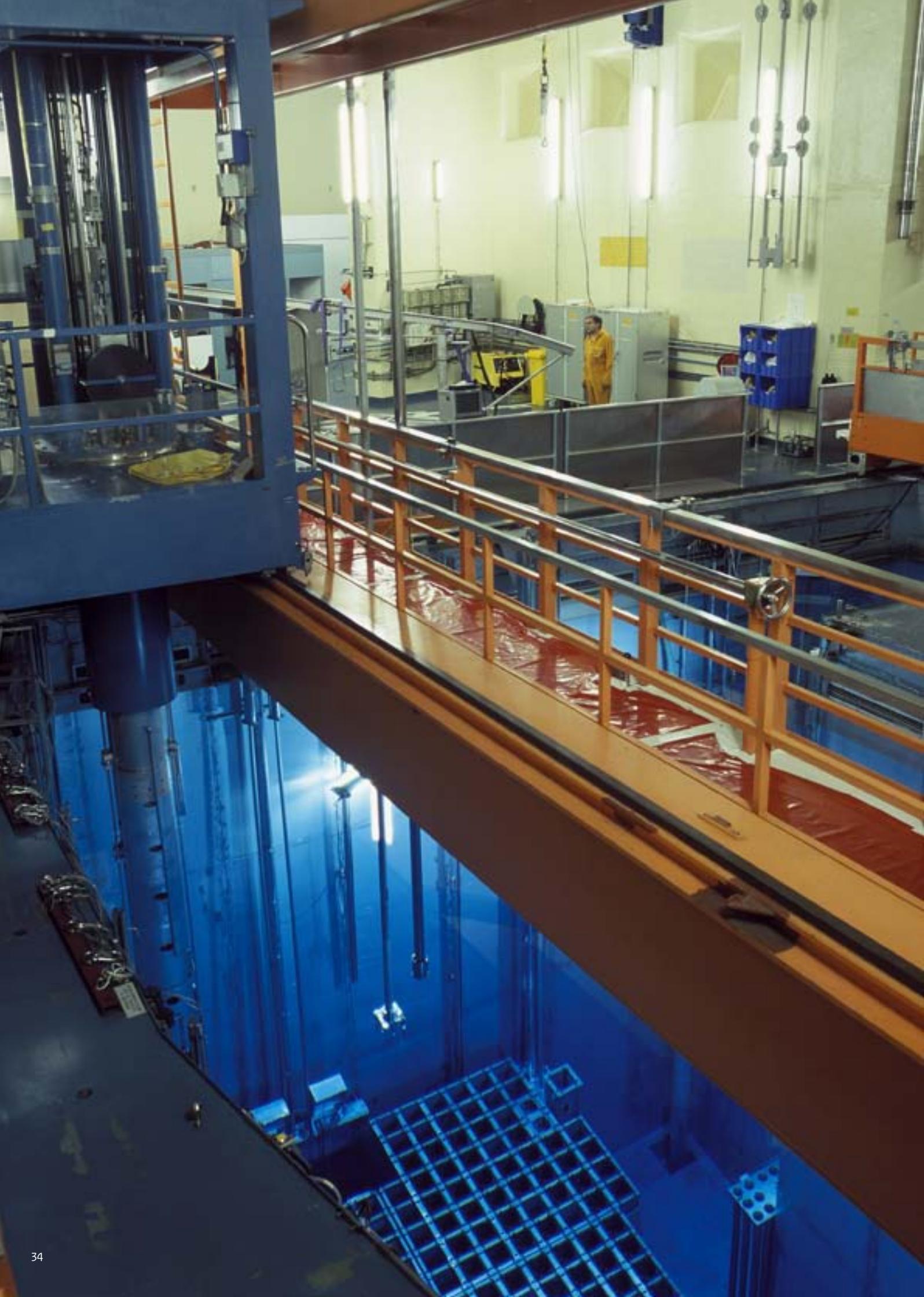
## 5.3 Activities and results

In a general sense, the Dutch national security interests are increasingly becoming more international in nature or are outside the country's borders. This has resulted in the AIVD's intelligence and security tasks becoming more interrelated. For example, intelligence provides information on developments in the key areas of counterterrorism and counterinterference (espionage) and so contributes to threat assessments and analyses produced by the AIVD as part of its mission to safeguard and promote national security.

At the request of others and on its own initiative, the AIVD provides information about developments that could be of interest to the Dutch government. For example, the service mainly prepares short reports and analyses as part of its intelligence task. These numbered more than 200 in 2009. Supplementing the written documents, it also gave several presentations for members of government and official policymakers during the year. In addition, the AIVD contributed information for use by the Joint Situation Centre (Sitcen) of the European Union (EU).

In order to be able to inform the Ministry of Foreign Affairs in good time about political and other developments with potentially harmful consequences for Dutch interests in countries not covered by the Designation Order, the AIVD monitors the situation in various fragile states by means of exploratory studies. And should the Ministry of Foreign Affairs require specific intelligence about a certain country or region that is not sufficiently covered by an exploratory study, upon request the service can conduct an operational investigation known as a 'quick-response' study within a defined period. Three such investigations were performed in 2009.

The AIVD periodically checks with the ministries of General Affairs (the Prime Minister's department) and Foreign Affairs to find out how they rate the reports it supplies as part of its intelligence task. This procedure has revealed that the reports are valued more and are indeed used in formulating and adjusting Dutch foreign policy. In general, the reports concerning incoming and outgoing foreign missions are also highly rated. In 2010 the AIVD hopes to further improve the ratio between unique information received from intelligence sources and that obtained from open sources.



# 6 Proliferation of weapons of mass destruction

The proliferation of weapons of mass destruction (WMD) represents a threat to international security. Various international treaties seek to combat the further spread of nuclear weapons and their delivery systems, the performance of nuclear tests and the proliferation of chemical and biological weapons. A number of export regulations are also in force. The Netherlands is party to these treaties and restrictions, and places significant value on compliance with them, both for the member countries and for Dutch companies and organisations.

Nations suspected of violating international law to develop WMD or their means of delivery, or of otherwise pursuing objectives which endanger the international legal order or the security and interests of the Netherlands and its allies, are known as countries of concern. The most prominent are Iran, North Korea, Syria and Pakistan. Working in close co-operation with the MIVD, the AIVD collects information about WMD programmes and delivery systems in the countries of concern.

## 6.1 The joint Counterproliferation Unit

In 2008 the AIVD and MIVD began intensive co-operation in the field WND proliferation by establishing a joint Counterproliferation Unit. Staff from the two services work together at a single location and can make use of each other's data, information and contacts.

The UCP has both an intelligence task and a security task. The former entails informing the government about developments in WMD programmes and delivery systems in the countries of concern. That is, their capabilities and intentions. It also involves informing the Dutch armed forces about possible and actual risks related to WMD and their delivery systems for Dutch units in deployment areas. The security task is concerned with combating procurement activities by or on behalf of countries of concern in and via the Netherlands.

## 6.2 Developments and results

In 2009 the UCP issued more than 50 intelligence reports and analyses, most for ministers of General Affairs (the Prime Minister), Foreign Affairs and Defence. Two official reports were submitted to the Public Prosecution Service, as well. In addition, a brochure was published to raise awareness and promote security. Entitled *Proliferation of weapons of mass destruction: risks for companies and scientific institutions* (Productie en verspreiding van massavernietigingswapens; risico's voor bedrijven en wetenschappelijke instellingen), this was intended for universities, other knowledge institutions and private companies.

### *Nuclear weapons and delivery systems*

In recent years, both Iran and Syria have conducted nuclear activities which have given rise to international concerns. In many cases these worries resulted from a lack of transparency, leading to uncertainty about the actual intentions of the countries in question. North Korea makes no secret of its own nuclear ambitions and progress in this area. Pakistan already has nuclear weapons. And all four countries have a programme to develop ballistic missiles.

The Iranian nuclear programme, in particular, remains a cause of international disquiet. In 2009 Iran again refused to answer questions from the International Atomic Energy Agency (IAEA) about past projects that may have been related to nuclear weapons. Furthermore, the country continued its uranium enrichment activities in Natanz and announced that it has now started construction on a second enrichment plant. To date, Iran has refused to accept a proposal from Russia, France and the US, in co-operation with the IAEA, to process the country's uranium abroad – enriching it from less than 5 per cent to less than 20 per cent concentration – subject to certain conditions.

The AIVD and the MIVD have kept the government abreast of developments in the nuclear programmes and related activities by the above countries. Where possible, these developments and activities are explained in more detail.

- Iran not only continues its uranium enrichment programme but, in defiance of international appeals to desist, is further expanding it. Additional enrichment plants are planned or under construction and new types of ultracentrifuge are being developed. The country also conducted test launches of ballistic missiles in 2009.
- North Korea announced that it had performed two nuclear test explosions. It has also withdrawn from the Nuclear Non-Proliferation Treaty, the first nation ever to do so. IAEA inspectors are no longer permitted to enter the country. North Korea has also conducted test launches of ballistic missiles.
- Syria, too, is performing test launches of ballistic missiles, although with a smaller range than those developed by Iran and North Korea. The country also refuses to answer certain questions from the IAEA about its nuclear activities.
- Pakistan has openly admitted that it has nuclear weapons and ballistic missiles. In the past, designs and equipment from Pakistan have found their way to other countries of concern.

#### *Chemical and biological weapons*

The international treaties against biological and chemical weapons do allow research for defensive ends. Countries are allowed to possess certain amounts of biological and chemical agents, referred to as “research quantities”, for this purpose. With respect to chemical weapons, the Organisation for the Prohibition of Chemical Weapons (OPCW) ensures that this opportunity is not abused.

However, the rapid industrial progress achieved by the countries of concern has continued to improve their level of know-how, and these nations are increasingly able to develop and to manufacture raw materials and equipment autonomously. Consequently, it is often difficult to determine with any certainty whether research and production activities are intended for civilian purposes.

Research into pathogenic organisms such as viruses and vaccine research and manufacture must take place in a secure manner: pathogens and vaccines should not be able to escape. However, because of the security measures taken in laboratories designed for this purpose, these facilities are also the perfect place to study and manufacture biological or other agents.

#### *Procurement of know-how and equipment*

As part of its security task, the AIVD investigates the open or clandestine procurement of relevant know-how, equipment and raw and other materials in or via the Netherlands. If necessary, such an investigation may result in an official report to the Public Prosecution Service. One such report was issued in 2009. Also within the context of the security task, a number of alerts were issued to specific companies and institutions for education and research.

The international sanctions against Iran mean that attempts to procure the above know-how and goods for that country require particular attention. In this domain, the AIVD works closely with the Ministry of Economic Affairs and with the relevant enforcement agencies, such as Customs and the fiscal investigation service FIOD-ECD.

#### *Export controls*

The Ministry of Economic Affairs almost always refers applications for licences to export strategic and dual-use goods to countries of concern to the AIVD and the MIVD, so that they can determine what is known about the end user and any transit points. Where necessary, the services also consider the potential utility of the know-how and goods concerned for WMD programmes and delivery systems. They then inform the ministry of their findings, which are combined with information from other sources in making a final decision on the application.

95 referrals of this kind were made in 2009, far more than in the previous year. This increase was due largely to the intensification of the sanctions against Iran.





## 7 Security promotion

One of the AIVD's tasks is to encourage official, statutory and other bodies to take adequate security measures. Within the context of the national Safety and Security System (Stelsel Bewaken en Beveiligen), it therefore compiles threat and risk analyses concerning the people, property and services making up the so-called national security domain (rijksdomein, the service's "Task E"). And to promote the security of vital economic and social sectors as well as to protect sensitive information ("Task C"), the service shares specific information on threats and related matters with the government, the business community and the international organisations located in the Netherlands.

### 7.1 The Safety and Security System

As a rule, individuals are primarily responsible for their own safety. But the organisations to which they belong and the relevant local authorities (the so-called "local triangle": local government, police and public prosecutors) also have a role to play. The central government, however, has a special responsibility for certain persons, property and services which are considered part of the national security domain. This includes:

- individuals, organisations and services that must be able to function securely and without interruption in the national interest;
- certain foreign individuals and interests, such as heads of state visiting the Netherlands and foreign embassies here;
- persons employed in the administration of criminal justice, such as the chair of the Council for the Judiciary (Raad voor de Rechtspraak).

As part of its task within the Safety and Security System, the AIVD can conduct specific investigations into potential threats even when they fall outside the service's normal remit. Along with the Military Intelligence and Security Service (MIVD) and the National Police Services Agency (KLPD), the AIVD provides the National Co-ordinator for Counterterrorism (NCTb) with information detailing both known and conceivable threats to a particular person, property or service.

#### *Number of threats is increasing*

Despite the fact that the threat from local jihadist networks decreased further in 2009 (see the chapter on Terrorism), it should not be concluded that the danger they and individual jihadists pose to government targets, politicians and opinion-formers has been permanently reduced.

The pressure on AIVD in this respect has actually grown in recent years. The "digitisation" of society, especially the rise of the internet, has made it easier to issue threats against people, as a result of which they are indeed being made more often and more quickly. Moreover, there is increasing pressure on the AIVD to take every report seriously. This situation has affected the service's security promotion work, in that indications of serious threats must be filtered out of a growing number of more or less trivial ones. That consumes a large amount of time and effort.

#### *Threats from fixated persons*

Many of the threats to persons in the national security domain come from fixated persons who generally have a personality disorder of some type. The events of Queen's Day, 30 April 2009 – when a man attempted to crash his car into a bus carrying members of the Royal Family, killing himself and several bystanders in the process – and the large number of threatening letters now being sent and received are examples of this. In 2009 the AIVD joined a project led by the NCTb to address this issue. Its goal is to develop an approach to the problem with the other partners in the Safety and Security System, and to assign responsibilities accordingly. A basis has also been established for international co-operation to counter the threat from fixated persons, by building lasting contacts with foreign governments and intelligence and security services.

#### *Long time horizon for jihadist terrorists*

Jihadist terrorists have a long time horizon (see the chapter on Terrorism). So the lack of any specific imminent threat from them to people, property and services in the national security domain does not mean that there is no need for vigilance. A good illustration of this is provided by three specific threats against the Danish cartoonist Kurt Westergaard and associated targets.

Some four years after the publication of his controversial political cartoons depicting the prophet Mohammed, Danish cartoonist Kurt Westergaard is still receiving serious threats. This is demonstrated by two incidents in 2009 and one on 1 January 2010.

In February 2009 the Danish police detained three people who were planning an attack against the cartoonist. This was followed in October by the arrest of two American men carrying plans for an attack against the newspaper *Jyllands-Posten*, which published the cartoons. These suspects, both of Pakistani origin, had named their plan the Mickey Mouse Project. One allegedly has links with the Pakistani terrorist organisation Lashkar-e-Taiba (LeT). Then, on New Year's Day 2010, a Somali man entered Westergaard's house with the apparent intent of murdering him. This suspect had previously been involved in jihadist activities in East Africa. Westergaard only narrowly survived the attack, by fleeing to his so-called "safe room".

#### Results

To work efficiently and effectively, the AIVD has drawn up priorities for compiling analyses. These involve making an assessment of the threat to a particular individual, property or service based upon visibility, the vulnerability of the risk profile, the potential of the job or position to be subject to threats and the possible impact of an attack on society. Thanks to the prioritisation of dossiers and the time thus saved, the AIVD can meet the demand for products that require more time and effort in terms of content, such as risk assessments.

Investigations as part of "Task E" require good internal co-operation and intensive contact with national or international partners. To further optimise co-operation within the service, the security promotion task was better positioned in the 2009 reorganisation. In addition, the AIVD exchanged more threat-related information with partner services abroad. Amongst other things, this was necessary in order to provide security support for major international gatherings such as the climate summit in Copenhagen and the Afghanistan Conference in The Hague. Information was also shared in relation to the opening of the Special Tribunal for Lebanon.

The AIVD compiled 189 threat assessments and analyses in 2009, for a variety of end users. The majority of these concerned persons, property and services in the national security domain. Assessments and analyses were also drawn up for several major events, for the international tribunals in the Netherlands, for diplomats and diplomatic property and for visits by foreign dignitaries.

## 7.2 The Counterterrorism Alert System and the vital sectors

The purpose of the Counterterrorism Alert System (Alertingssysteem Terrorismebestrijding, ATb) is to provide government services and certain commercial industries with advance warning of an identified terrorist threat, so that they can prepare themselves accordingly. During 2009 the AIVD produced threat analyses for all the sectors covered by the ATb, based upon which the NCTb periodically determined the threat level for each of them.

As well as using the alert system to supply terrorism-specific information to organisations, the AIVD also keeps certain vital sectors informed of other threats, such as those related to clandestine activities by foreign powers and to extremism.

#### Developments in 2009

Internationally, various sectors have regularly been targeted by actual and attempted terrorist attacks in recent years. Amongst them are airports, railways and local and regional transport. In the Netherlands, however, the threat to these vital sectors remained limited in 2009.

#### Results

By strengthening its client management, in 2009 the AIVD was able to focus its threat products more upon the specific information needs of the vital sectors. To this end, 24 threat analyses were prepared for the ATb. The service also made an important contribution to a risk analysis for the power industry, which was compiled by the National Advisory Centre for Vital Infrastructure (Nationaal Adviescentrum Vitale Infrastructuur, NAVI) at the request of the Ministry of Economic Affairs.

The AIVD has also increased security awareness through briefings and presentations to explain threats to national security. More than 65 presentations were given in 2009, for a variety of groups. They included the vital sectors, the Safety and Security System partners and central government. These presentations offer an insight into the threats and risks affecting interests vital to national security. They also provided the AIVD with opportunities to discuss and to identify vulnerabilities to espionage with the parties concerned (see the chapter on Clandestine activities by foreign powers).

### 7.3 Sensitive information and security

Sensitive information – which includes but is by no means limited to state secrets – needs to be kept secure because its disclosure could harm the interests of the Dutch state. A special unit of the AIVD, the National Signals Security Bureau (Nationaal Bureau voor Verbindingsbeveiliging, NBV), promotes the security of sensitive information. It does this by supplying security products that it has approved or developed, by providing assistance with their implementation, by making contributions to policy and regulations on this subject and by offering advice on information security. To date, these activities have been aimed primarily at the ministries of Defence, Foreign Affairs, Justice, General Affairs and the Interior.

#### *Developments in 2009*

To an increasing extent, sensitive and confidential information is being processed and stored electronically by the Dutch government and the business community. These parties also have an growing presence on the internet, and mobile workplaces are becoming more and more common. Such developments are taking place at a rapid pace, and are accompanied by security risks. As stated earlier, foreign governments are using digital espionage in their attempts to obtain sensitive and confidential information. The AIVD's efforts in this context focus upon preventing harm to the interests of the Dutch state by, for example, developing security products.

In 2009 the service began extending its advisory role in information security matters. However, since the central government's planned basic information security facilities were not fully implemented last year, so far that expansion has included only the ministries of Finance and General Affairs. Most of the additional advice given in 2009 concerned telephone security, secure office workstations and teleworking involving restricted (departementaal vertrouwelijk) material.

In late 2009, hackers came closer to cracking the encryption of mobile telephone traffic. As a result, it will not be long before large-scale eavesdropping of mobile communications becomes practicable.

#### *Results in 2009*

All Dutch government ministries have been informed about the possible repercussions of the imminent hack of mobile phone encryption. The AIVD provided advice on making secure mobile telephone calls in the short and medium term. For example, a quick scan was conducted to survey the suitability of various commercially available products designed to secure calls. Govcert.nl, the government's Computer Emergency Response Team, published a factsheet in conjunction with the AIVD: *Eavesdropping on gsm communications nearer* (Afluisteren van gsm-communicatie dichterbij). Moreover, a new version of the Tiger mobile telephone for secure voice, fax and data traffic was completed. It offers greater security, increased user-friendliness, lower administration costs and additional functionality.

Important steps were also taken in the development of new security products, including the completion of a new government "cryptochip". Within the next few years, suppliers will be able to incorporate this into products for the secure storage and communication of highly confidential information. Another advance in 2009 involved initial efforts to make the CryptoGuard – a device used within government to encrypt IP traffic – suitable for higher classification levels.

To better protect ministries from digital espionage and electronic attacks, in 2009 the AIVD intensified its co-operation with Govcert.nl. Agreement was reached to initiate a test to better protect the government from digital attacks in 2010. Knowledge about digital espionage techniques was shared with a select group of partner services at the international level.

To promote security awareness and to enable both government and the business community to reduce their vulnerability to espionage, the AIVD published the brochure *Protection against unsafe USB sticks* (Bescherming tegen onveilige usb-sticks). Information was also provided to various ministries about new ICT vulnerabilities and associated measures that can offer protection.

Finally, the AIVD has contributed towards the development of new regulations and policy for the security of classified information at NATO and the EU. For example, the service has been helping to compile a new security directive for classified EU information. And because NATO is increasingly operating outside its “home” territory, its security regulations are to be revised shortly.

The AIVD supports the design of government information security products. The Government Access Pass (Rijkspas) is a good example of this. From its initial rollout in the spring of 2010, this uniform pass for all ministries will include a new secure chip to control physical access to buildings and other authorisations. At the request of the Rijkspas Programme, the AIVD and other parties conducted extensive research into these functions as part of the Rijkspas implementation plan.

As well as acting as an adviser, the service actually produced keys and other means of encryption. Another component in the pass is a contact chip needed to access computer systems and the like. At the request of the Rijkspas Programme, a brief investigation was conducted into possible vulnerabilities. Based partly upon the AIVD’s recommendations, it has been decided to implement a new version of this chip on the Rijkspas during the course of 2010.





## 8 Security screening

As part of its “Task B”, the AIVD screens candidates for positions involving confidentiality and provides recommendations on appointments to these positions. A person cannot take up a position involving confidentiality until the AIVD has granted them Security Clearance (Verklaring van Geen Bezwaar, VGB). This takes the form of a statement declaring that – based upon the screening process they have undergone – there is no objection on national security grounds to the subject filling the post in question.

Screening allows a judgement to be made about the security sensitivity of the person concerned if he or she were to occupy a certain position involving confidentiality. This sensitivity can create a risk to national security. The screening is therefore an important preventive instrument against, for example, espionage.

The screening process intrudes upon a candidate’s personal life. Positions involving confidentiality must therefore serve in part as the final element of security, after all other possible physical and organisational security measures have been taken. If the situation in question does not involve national security but, say, integrity, then an organisation may use other screening methods, such as a good recruitment and selection policy, a Certificate of Good Conduct (Verklaring Omtrent het Gedrag, VOG) and the proper supervision of staff at the workplace.

A position involving confidentiality is a job in which it is possible to abuse knowledge or powers in such a way as to seriously endanger national security or other important interests of the state. In practice this means that such positions are those allowing access to state secrets or in which a lack of personal integrity could affect national security, as well as certain key posts in vital sectors. The AIVD does not determine which positions are designated as involving confidentiality. That is done by the ministers in the relevant government department.

### *Positions involving confidentiality and security screening*

The scope of the screening is directly related to the sensitivity of the position concerned. There are three standard types (A, B and C), with Level A – reserved for functions of the highest sensitivity – being the most rigorous and Level C the least. In addition, there are special categories for certain positions in civil aviation (Burgerluchtvaart, BL screening), the police force (P screening) and the Royal Household. The AIVD has respectively mandated the Royal Military Constabulary (KMar), the National Police Service Agency (KLPD) and the Royal and Diplomatic Protection Service (DKDB) to perform the screenings in these categories.

Security screenings address the following matters:

- criminal records and other contacts with the judicial system;
- participation in or support for activities that may endanger national security;
- membership of or support for organisations which endanger the democratic legal order;
- other personal conduct and circumstances.

The minister bases a decision on whether or not to issue security clearance on the facts revealed during the screening process. Clearance is refused when there are insufficient guarantees that the subject will fulfil the duty of confidentiality arising out of his or her position under all circumstances, or when the screening fails to produce enough solid data to make a sound judgement on that question. An objection and appeal may be lodged if a VGB is refused. Also established in law is that the way that AIVD performs the screenings can be checked by the Review Committee on the Intelligence and Security Services (Commissie van Toezicht betreffende Inlichtingen- en Veiligheidsdiensten, CTIVD).

In 2009 the AIVD made an effort to perform the screening process quickly and carefully. It also worked towards better communication with and information for employers and candidates about positions involving confidentiality. Moreover, the service is responding to the trend in which staff members are being deployed more flexibly both inside and outside the central government. Increasingly, staff members in positions involving confidentiality are also deployed more flexibly by their employers. The AIVD is actively anticipating these developments by introducing so-called function clustering (see section 8.3).

## 8.1 Improvement of completion times

The fundamental improvement in the time taken to complete security screenings achieved through the Safer, Faster (Sneller, Veiliger) programme was maintained in 2009. During the year, the AIVD succeeded in completing more than nine out of ten (91.2 percent) Level A screenings within eight weeks. In mid-2009 the Minister of the Interior and the Lower House of Parliament agreed to adopt 90 percent as the minimum standard<sup>5</sup>.

With regard to the Level A and Category P screenings for the police force, the original commitment to the Lower House was to clear the backlogs within three years<sup>6</sup>. These backlogs were virtually eliminated in 2009. Any expected failure to meet a completion deadline is now communicated to the employer at an early stage. Finally, space has been reserved in the work agreements made with the parties requesting the screening to schedule rescreenings, which are now performed by the AIVD. As such, all the targets of the Safer, Faster improvement programme have been achieved.

Table 1 sets out the processing times of the Level A screenings performed for the central government, other government departments and units such as the High Institutions of State (Hoge Colleges van Staat) and the police force. In 2009, on average, 91.2 percent of these screenings were completed within the statutory eight-week period.

An evaluation period is observed when security screenings are performed. Depending upon the weight of the screening, this can be as long as ten years. If the subject lived abroad in the period preceding the request for the security screening, the AIVD must also gather intelligence on this period. To this end, the AIVD has co-operative arrangements with a large number of partner services.

Sometimes, the AIVD has to screen people who lived in countries where it does not have a working relationship with a partner service. In such cases, the AIVD has an obligation to make every reasonable effort to acquire the information it needs to form a sound judgement about the subject. Considerations that play a role here are respect for human rights and the level of professionalism, reliability and democratic accountability of the partner services.

Table 1: Processing times for Level A screenings for the central government and police force in 2009

Party requesting	Started	Completed in eight weeks	Delayed		
			Foreign	Complex	Other reasons
Central government	658	603 (91.6%)	6 (0.9%)	12 (1.8%)	37 (5.6%)
Police	758	689 (90.9%)	4 (0.5%)	25 (3.3%)	40 (5.3%)
<b>Total</b>	<b>1,416</b>	<b>1,292 (91.2%)</b>	<b>10 (0.7%)</b>	<b>37 (2.6%)</b>	<b>77 (5.4%)</b>

<sup>5</sup> Second Chamber of the States-General, 2008-2009 session, 30805 no. 13.

<sup>6</sup> Second Chamber of the States-General, 2006-2007 session, 30805 no. 10.

In 2009 the AIVD was successful in its efforts to improve co-operation on security screenings. The working relationship with its partner service in Surinam was restored at the end of 2009. Because the necessary information was missing, many candidates of Surinamese descent for positions involving confidentiality were being refused security clearance. Now that the co-operation has been restored, new requests for screenings can be considered.

## 8.2 Information provided to employers and candidates for positions involving confidentiality

In 2009, in co-operation with the MIVD, the AIVD published a *Personal Conduct and Circumstances Guide* (Leidraad persoonlijke gedragingen en omstandigheden). This makes it clear what personal conduct and circumstances are taken into account during security screening procedures. The AIVD also involved employer platforms in the central government and the police forces in developing the Guide. It states that a person being assigned to a position of confidentiality is expected to be honest, independent and loyal, and to have integrity. The indicators which can point to potential security risks, such as criminal records or severe financial problems, are explained, in addition to the principles for the related evaluation. With this Guide, the AIVD and the MIVD want to offer an insight into the assessment framework used for security screening. In so doing, they are serving the need of the employers of persons occupying positions involving confidentiality to obtain a better understanding of the vulnerabilities addressed by the screening. The employers of candidates for and people holding these positions can use the Guide to provide information about the screening procedure.

Also in 2009, the AIVD developed new information materials and organised several information days for employers in the central government, the Royal Household and the police service. In addition to explaining the content of the *Personal Conduct and Circumstances Guide*, information was also provided about the employer's duties arising from the Security Screening Act (Wet Veiligheidsonderzoeken, Wvo 2002). In particular, specific attention was paid to the obligation to inform candidates for positions involving confidentiality about the meaning of the security screening and the legal effects of being appointed to such a position.

## 8.3 Simplification due to function clustering

In 2009 the AIVD introduced function clustering for positions involving confidentiality in the police service. This means that persons working in these positions are able to change jobs, providing the new position involves the same or a lower level of vulnerability, without having to undergo another screening. With this measure, the AIVD is responding to the trend towards greater flexibility at work. Needless to say, there is still an option to conduct periodic rescreening. Also in 2009, preparations were made to introduce function clustering in the central government.

The advantages that function clustering provides for the employee and the employer are coupled with a greater responsibility on the part of the employer. He bears responsibility for maintaining proper and up-to-date records. It is also important that employers report incidents concerning persons working in positions involving confidentiality to the AIVD. After all, new facts and circumstances can form a reason for rescreening.

Function clustering was introduced and elaborated in the new *Designation Guidelines for Police Positions Involving Confidentiality* (Leidraad Aanwijzen vertrouwensfuncties politie). With the implementation of these guidelines, the total number of positions involving confidentiality in the police sector has decreased: more than 16,000 posts were designated as part of this category in all of 2009. In 2008, this figure was about 2000 higher.

Table 2. Number of positions involving confidentiality in FTE.

Sector	2008	2009
Defence contractors	20,800	20,800
Police (Category P)	17,905	16,479
Central government	5,492	5,193
Vital sectors	1,547	1,547
Royal Household	342	345
<b>Total</b>	<b>46,086</b>	<b>44,364</b>

Table 3. Requests for security screening handled by the AIVD.

Sector	2008	2009
Level A	1,744	1,765
Level B	3,691	3,994
Level BL through KMar	5,589	3,481
Category P	105	105
Level C	399	436
Category KH	17	15
<b>Total</b>	<b>11,545</b>	<b>9,796</b>

(KH: Royal Household; P: Police; BL: Civil Aviation)

A total of 754 requests for NATO and EU clearance and 936 requests from partner services for administrative checks were received in 2009.

*Additional explanation for civil aviation security screening*

For most positions involving confidentiality in the civil aviation sector, the security restricted areas (SRAs) at civilian airports serve as the basis for assigning positions involving confidentiality. Those persons who must have access to restricted areas for security reasons must have received security clearance. The number of people working in positions of confidentiality always depicts a specific moment in time: in 2009 the figure was 29,061.

The AIVD has mandated the Royal Military Constabulary (KMar) to perform security screening for the civil aviation sector (Category BL). Complex screenings – including those for which observed judicial records could lead to a refusal of security clearance, and screenings where administrative checks by international partner services are required – are forwarded to the AIVD for further consideration. On average, some 12 per cent of such screenings are passed on to the AIVD annually. Of the 29,061 requests for screenings received by the KMar in 2009, the AIVD performed 3,481 screenings that had been submitted to the service. In 2008 this figure was 5,589. Experience has shown that the number of requests for security screening for this sector fluctuates according to the economic cycle. The expectation is that, in view of the way the economic crisis has progressed and given that it strongly affected the aviation sector in 2009, the number of requests will increase again in 2010.

In cases where the KMar and the AIVD determined that employers had unjustly submitted a screening request, these were returned to the employers. When this arose, the KMar informed the employer in question about the legal procedures with respect to submitting a request for screening an individual.

As soon as the ability has been introduced to conduct periodic checks of persons in positions of trust using judicial information in the Judicial Documentation System (Justitieel Documentatie Systeem) – the process of making security screening in the civil aviation sector more dynamic – function clustering may also be used in this sector.

## 8.4 Security clearance refusals, and objections and appeals

In 2009 the AIVD issued security clearance on 8894 occasions. Clearance was refused in 612 cases, whilst a previously issued clearance was withdrawn 33 times. Table 4 breaks down the refusals based upon the reason for the rejection. The reason for nearly half of the VGB refusals was the inability to obtain sufficient information. Some of the refusals were due to the fact that the AIVD was unable to gather intelligence from foreign intelligence and security services.

Table 4. Security clearance refusals in 2009.

Positions and grounds for refusal	Judicial record	Insufficient information	Other reasons	Total
Clearance Level A	0	1	22	23
Clearance Level A, police	0	0	5	5
Clearance Category P (police)	0	0	14	14
Clearance Level B	6	4	25	35
Clearance Level B, civil aviation	197	301	67	565
Clearance Level C	0	0	3	3
<b>Total</b>	<b>203</b>	<b>306</b>	<b>136</b>	<b>645</b>

Table 5 sets out the number of objections and appeals lodged in 2009, based upon the outcome of the decision or judgement. In 2009, 15 of the 66 objections lodged were upheld and the people in these cases subsequently received security clearance. In the case of refusals based upon insufficient information, the persons involved were often able to provide the necessary information after all.

Table 5. Objections and appeals cases for security screenings in 2009

Objections and appeals in 2009	Dismissed	Upheld	Declared inadmissible	Withdrawn	No decision to date	Total
Judicial record	9	-	3	-	8	20
Insufficient information	9	11	3	2	2	27
Other (including personal conduct)	10	4	-	2	3	19
<b>Objections in 2009</b>	28	15	6	4	13	66
<b>Appeals in 2009</b>	2	-	-	-	7	9
<b>Preliminary injunction in 2009</b>	-	-	-	2	-	2
<b>Further appeal in higher court</b>	3	-	-	-	2	5



## 9 Accountability and supervision

### 9.1 Parliament

The Minister of the Interior and Kingdom Relations is ultimately responsible for the proper functioning of the AIVD. The service reports to the minister, who in turn is accountable to the Lower House of Parliament. The minister fulfils this obligation in public as much as possible and, where this is not possible for reasons of confidentiality, to the Intelligence and Security Services Committee (Commissie voor de Inlichtingen- en Veiligheidsdiensten, CIVD) of the Lower House.

In 2009 the House spent considerable time dealing with the suspected terrorism threat in Amsterdam in March 2009. Vigorous debates were also held on the publication *Animal rights extremism in the Netherlands; fragmented but growing* (Dierenrechtenextremisme in Nederland; gefragmenteerd maar groeiende), in which the AIVD set out the difference between activism, extremism and terrorism. There were discussions, too, on the growing resistance to the Dutch asylum and immigration policy and the fact that the radical opponents to this policy are increasingly inspired by the methods used by animal rights extremists. The AIVD described these developments in its publication *The flames of resistance* (Het vuur van het verzet). The House also focused attention on the report *Resilience and Resistance* (Weerstand en tegenkracht), in which the AIVD discussed the stagnation in the growth of the Salafist movement in the Netherlands.

Apart from this, political interest in the AIVD's work in 2009 was strongly dominated by three subjects: the security screening of a former Chief Constable of Zeeland, the work of the so-called Davids Committee (Commissie Davids) and the service's investigation into the leaking of state secrets contained in an article published by the newspaper *De Telegraaf* on 28 March 2009.

#### *Security screening of the former Chief Constable of Zeeland*

The report of the Review Committee on the Intelligence and Security Services (Commissie van Toezicht betreffende de Inlichtingen- en Veiligheidsdiensten, CTIVD) on the AIVD screening of the former Chief Constable of Zeeland led to an extensive discussion in the Parliament about the service's conduct of the screening process and the applicable procedures related to it. The CTIVD report concluded that the AIVD's conclusions in the screening were supported by the underlying dossier and that the service therefore had reasonable grounds to refuse clearance. The CTIVD also found that the AIVD had taken due care in planning the

investigation. Subjects such as the division of responsibility with respect to policy for positions involving confidentiality, the available possibilities for lodging an objection to a refusal and the criteria and indicators to which attention is paid in screenings were discussed extensively with the House.

#### *Davids Committee investigation*

The public and political discussion about the run-up to and the government decision to lend political support to the invasion in Iraq led to the establishment of the Committee of Inquiry on Iraq (Davids Committee) in 2009. This body conducted its investigation during 2009. It concluded that, taking the entire period into account, both the AIVD and the MIVD were more reticent about the threat of Iraq's weapons of mass destruction (WMD) programme than the then members of government demonstrated in communication with Parliament. The committee also observed that the reports from the AIVD, and in particular the MIVD, about WMD were more nuanced than the public foreign reports. With respect to the information position of the services, the committee concluded that the two services possessed very limited independently obtained information about the Iraqi WMD programme and that the AIVD had performed little analysis of it. The government's response to the report stated that lessons had been learned from these and other conclusions. From now on, when information is provided to Parliament, it will be clearly indicated which parts of it come from the services.

#### *AIVD investigation into the leaking of state secrets*

Op 28 March 2009 the newspaper *De Telegraaf* published an article about the AIVD's role in respect of Iraq. This was written in such a way that the AIVD ascertained that it was based upon one of its own internal classified documents, which meant that the newspaper had compromised state secrets. Special investigative powers were subsequently used to monitor journalists from *De Telegraaf* in order to identify the source of the leak. The investigation led to a public debate about the interests of national security versus freedom of the press. In response to a complaint from *De Telegraaf* journalists, the CTIVD concluded that the AIVD's deliberate use of its special investigative powers was in accordance with the requirements of necessity and subsidiarity, but not with the requirement of proportionality. At the time these special powers were initially used, the interest of protecting journalistic sources should have been given greater weight. Furthermore, the CTIVD established that the document which had in all probability served as the

basis for the article in *De Telegraaf* was correctly classified as a state secret, that the AIVD had good grounds for identifying the journalists as targets and that, before using the special investigative powers, the AIVD had, within the bounds of what is reasonably possible, undertaken an internal investigation in an attempt to find the leak. The conclusions of the CTIVD were adopted by the minister.

#### *Intelligence and Security Services Committee (CIVD)*

The CIVD consists of parliamentary leaders of all parties with elected members in the Lower House, with the exception of those groups which have split from established parties during the current parliamentary period. In 2009 the leader of the Socialist Party (SP) also joined the committee.

The committee's task is to monitor the AIVD's performance of its operational activities. In the CIVD, the minister can communicate confidentially concerning the current level of AIVD knowledge and the secret sources and methods used by the service. The members of the CIVD may not discuss the information they have obtained from the documents, or verbally from the minister, with others, including fellow MPs.

In 2009, besides various operational issues, the following subjects were addressed in the CIVD: the suspected terrorism threat in Amsterdam on 12 March; undesirable interference by foreign powers in the Netherlands; the AIVD investigation into the leaking of state secrets; the AIVD's retrieval of information from computerised files; the secret appendices to reports from the CTIVD concerning the use of telephone tapping and signal interception by the AIVD; the financial and economic investigations by the service; the security screening of the former Chief Constable of Zeeland; and AIVD co-operation with foreign intelligence and security services.

## 9.2 The Intelligence and Security Services Supervisory Committee

The Intelligence and Security Services Supervisory Committee (CTIVD) is an independent body that oversees compliance with the Intelligence and Security Services Act 2002 (Wiv 2002) and the Security Screening Act (Wvo) by the AIVD and the MIVD.

In 2009 the CTIVD compiled four regulatory reports concerning the AIVD. These concerned investigations into its application of Article 25 of the Wiv 2002 (telephone tapping) and article 27 of the Wiv 2002 (selection of undirected intercepted non-cablebound telecommunications), financial and economic investigations by the service, its screening of the former Chief Constable of Zeeland and the legality of its co-operation with foreign intelligence and security services. All the reports, with the minister's response, were submitted to Parliament in the same year. The reports and the recommendations of the committee and the minister's response have since been discussed in the Lower House. Furthermore, in accordance with the procedure laid down in the Wiv 2002, the CTIVD advised on the complaint lodged by the journalists from *De Telegraaf*.

For more information, please refer to the CTIVD website ([www.ctivd.nl](http://www.ctivd.nl)), where the committee's reports and the minister's response are published. The CTIVD also publishes its own annual report, which can be found on its website.

### 9.3 The Council for National Security

The Council for National Security (Raad voor de Nationale Veiligheid, RNV) is a Cabinet subcommittee made up of the Prime Minister and the Ministers of the Interior and Kingdom Relations, Defence, Justice and Foreign Affairs. Its remit is to discuss relevant issues touching upon national security. The RNV is an important body in the preparation of government policy on national security.

In 2009 it was decided to utilise the RNV more intensively to formulate policy guidelines with respect to national security in a broad sense and to better organise its meetings based upon intelligence from the AIVD and the MIVD, in order to offer the best possible support for the political decision making process.

To this end, the AIVD and the MIVD held joint and separate intelligence presentations. In 2009 the services began presenting a joint National Intelligence Assessment (Nationaal Inlichtingenbeeld) once every three months. This explains the main developments affecting services' conduct of their designated tasks. The RNV has addressed such subjects as undesirable interference by foreign powers in the Netherlands, security problems related to Somalia, Pakistan and Yemen, the investigation of proliferation by the AIVD and the MIVD and their performance of their foreign intelligence task. Both services of the AIVD were also discussed by the RNV.

Until recently, the preparatory work for RNV meetings was delegated to two official bodies: the Joint Intelligence Services Committee in the Netherlands (Comité Verenigde Inlichtingendiensten Nederland, CVIN) and the Joint Counterterrorism Committee (Gezamenlijk Comité Terrorismebestrijding, GCT). In line with the intention to use the RNV more intensively to formulate guidelines in respect of national security, a third body has now been added. It is the National Security Steering Group (Stuurgroep Nationale Veiligheid), which is also an official body for the Council for Security and Legal Order (Raad voor Veiligheid en Rechtsorde). The AIVD is represented in all three bodies.



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Schedeldoekshaven

- ← Hofje van de Koning
- ↑ Kunstmuseum
- ↑ Fysiotherapie
- Verzameling

## 10 Legislation and legal affairs

### 10.1 Amendment of the Intelligence and Security Services Act 2002

Following its approval by the Lower House of Parliament on 16 October 2007, a bill to amend the Intelligence and Security Services Act 2002 (Wiv) is now before the Upper House (Eerste Kamer der Staten-Generaal). The purpose of the change is to enhance the means available to the intelligence and security services to investigate and act against terrorism and other threats to national security. The provisional report from the Upper House led to a critical review of the bill's provisions in respect of the power to mandate the disclosure of information by as yet unspecified administrative bodies, transport companies and financial services providers.

The proposed amendments to the Intelligence and Security Services Act 2002 were not prompted so much by a need to better combat terrorism as by an intention to enable improved performance of the services' tasks in a broad sense. The Cabinet also decided to continue its consideration of the bill, following the publication of the report of the Committee to Evaluate Counterterrorism Policy (Suyver Committee, Commissie Suyver). It is expected that the implementation of the working plan presented by the ministers of Justice and of the Interior in response to the Suyver Committee report will have no repercussions for the consideration of the bill to amend the Intelligence and Security Services Act 2002. The memorandum of reply will be finalised and submitted to the Upper House of Parliament in the course of 2010.

### 10.2 National security in the Dutch Caribbean

On 15 December 2008 the Netherlands and its associated states in the Caribbean reached agreement on a new national and political structure for the Kingdom of the Netherlands. Upon completion of the necessary constitutional reforms, the Netherlands Antilles will cease to exist as a country. Curaçao and Dutch Sint Maarten will become independent countries within the Kingdom, whilst the islands of Bonaire, Sint Eustatius and Saba (often referred to as the BES islands) will become "special municipalities" of the Netherlands. The status of Aruba as an independent country in the Kingdom remains unchanged. The phased transfer of tasks from the Netherlands Antilles to the new countries and the Netherlands will continue in 2010. One of the tasks to be transferred is national security.

Until the constitutional reform process is completed, the national security of the Netherlands Antilles will remain the responsibility of the Security Service of the Netherlands Antilles (Veiligheidsdienst Nederlandse Antillen, VNA). But when that country ceases to exist, so too will the VNA. Both Curaçao and Sint Maarten have indicated that they then wish to establish new security services of their own. Meanwhile, the Netherlands will assume responsibility for national security on Bonaire, Sint Eustatius and Saba. Again, the situation on Aruba will not change: that country's national security will remain in the hands of the Security Service of Aruba (Veiligheidsdienst Aruba, VDA).

*National security on the BES islands and in the new countries of Curaçao and Sint Maarten*

After the completion of the constitutional reform process, the Wiv 2002 and the Security Screening Act (Wvo) will apply in full to the BES islands. That means that the AIVD and the MIVD will be the competent services on the BES islands, charged with the tasks assigned to them in the Wiv 2002. By establishing a Regional Intelligence Unit (RID) as part of the islands' new police force, the AIVD can fulfil its national security obligations in a responsible manner. The AIVD will appoint a RID quartermaster for the BES islands in 2010.

The new countries of Curaçao and Sint Maarten have indicated that they wish to establish their own security services after the completion of the constitutional reform process. The AIVD has assisted both in compiling an adequate legal framework, which is an important precondition for continuing and further co-operation between the services within the Kingdom. At the request of both the Netherlands Antilles government and the Executive Council of Sint Maarten, in 2010 the AIVD will provide on-site assistance with the establishment of the Security Service of Sint Maarten.

### 10.3 Complaints

In 2009, 22 complaints were received concerning alleged activities by the AIVD. Two complaints were partially upheld by the minister based upon the recommendations of the CTIVD, including that from *De Telegraaf* discussed earlier. In the other cases, the complaints were either dismissed in line with the CTIVD's advice, declared inadmissible under Article 9:8 of the Administrative Law Act (Algemene wet bestuursrecht) – because, for example, they were repeat submissions of earlier complaints – withdrawn or settled promptly and satisfactorily. In addition, as per Article 9:4 of the Administrative Law Act, some of the complaints were not considered because the wording used was not specific enough.

Also in 2009, the National Ombudsman (Nationale ombudsman) issued judgement on two earlier complaints concerning the AIVD. In both cases, he found that the service had acted properly.

### 10.4 Applications under the Freedom of Information Act

Under freedom of information rules, anyone is entitled to submit a request to inspect information the AIVD may hold about them. Much use was again made of this right in 2009. However, a number of restrictions apply to this form of disclosure. For example, it covers only information which is not relevant to current AIVD activities. And even outdated material cannot be inspected if that would or might compromise the service's sources and methods. Moreover, a person may only inspect their own record or that of their deceased spouse, registered partner, child or parent. The procedure and conditions are described in more detail online, at [www.aivd.nl](http://www.aivd.nl).

In all, 180 requests were received in 2009: 128 for information held on the person making the application, 23 concerning deceased relatives, 17 for non-personal data and 12 in respect of persons unrelated to the applicant.

Twenty applicants submitted objections following a refusal to permit inspection of records, three lodged appeals against rejected objections, one instituted a request for a preliminary injunction to the court and one went to a second appeal in a higher court. One objection was partially upheld, whilst all the appeal cases were dismissed by the courts. One case was submitted to the Council of State (Raad van State); this appeal was dismissed in early 2010.

### 10.5 Notification

Article 34 of the Wiv 2002 requires that, five years after the completion of certain investigations involving its special powers, the AIVD review whether the subjects can be notified that they were investigated. The service has not issued any such notifications since this requirement entered force on 29 May 2007, five years after the enactment of the Wiv 2002.

For the reviews conducted in 2009, the AIVD decided in some cases to postpone notification because of relevance to a current investigation. In other cases it opted to annul notification because, if a report were issued, the sources or the specific use of a method by the service, or the identity of parties who assisted the service in this matter, could potentially be disclosed. In addition, relationships with other countries or international organisations could also come into play. Moreover, some cases were declared expired because the person involved could not be found or was deceased.<sup>7</sup>

The CTIVD oversees the legality of the implementation of the duty of notification. The Committee is informed about policy developments in this area and kept abreast of all outcomes of the notification reviews. In 2009 the CTIVD initiated an investigation into the legality of the implementation of the duty of notification by the AIVD. The results of this investigation will be presented to Parliament in the first half of 2010. In line with standard practice, this submission will be accompanied by a response from the minister.

<sup>7</sup> For further details concerning the duty of notification, see the letter to the Second Chamber of the States-General dd. 4 December 2008 (Parliamentary papers II 2008-2009, 30 977 no. 18).



# 11 Organisation, policy and management

## 11.1 AIVD reorganisation in 2009

The AIVD undertook a reorganisation process in 2009. After the growth of recent years, organisational change was needed to better manage the service, to work more efficiently and to operate more effectively and flexibly. Positioning intelligence as a central operating process has created a clear relationship between all the activities of the AIVD. Process and results management was also introduced in this context. Moreover, the reorganisation has enabled the service to respond even more quickly and successfully to national and international developments.

In times of rapidly changing threats, which are frequently difficult to comprehend, the AIVD must be able to identify new potential and actual risks to national security. At the same time it must not focus on certain occurrences too deeply or for too long. The service is therefore investing in such things as trend analyses, future studies and exploratory research, as well as in a clear, service-wide evaluation and priority system for the allocation and reallocation of people and resources among its key areas of interest and investigations. This evaluation and priority system, developed in 2009, ensures that the AIVD can quickly and flexibly deal with changes in the threat assessment by making balanced choices concerning the intensification and expansion of its attention on the various key areas.

In 2009 the AIVD workforce grew to a full-time equivalent (FTE) of 1403. Its goal is to reach the permitted ceiling of 1495 FTE by the end of 2011. Developments initiated in 2009 in respect of strategic human resources policy – such as staff composition and competence management – are to continue in 2010.

## 11.2 Strengthening international co-operation

Retaining and further improving the AIVD's position in an international context is crucially important for the service's information position and for Dutch security interests. Intensive co-operation is also needed in order to anticipate new European legislation and regulations. To an increasing extent, subjects relevant to the service are now being regulated at a European level. These include telecommunications, privacy protection and the storage of telephone communications data.

It is important for the AIVD to be able to co-operate with services which, due to their location or know-how, possess unique information. Relying upon partner services can also be essential to protect or facilitate operations. In addition, these parties serve as important partners when it comes to offering customised operational training related to the service's intelligence task.

The AIVD maintains relationships with around 180 partner services, varying from ceremonial contacts to intensive operational and other partnerships. It works intensively at an operational level with more than 30 partner services. Depending upon a number of factors, the co-operation with foreign services takes place at various levels and with varying intensity. The level and intensity of the co-operation depends not only upon the nature, quality, level and observed conduct of the service in question, but also upon an evaluation of interests that applies specifically to the Netherlands or the AIVD. For example, account is taken of the extent to which the service in question respects human rights, along with its professionalism, reliability and democratic accountability. Clearly, another important factor here is whether the service concerned can contribute to the information position of the AIVD.

In the light of the service's reorganisation, within the past year initial steps have been taken to further hone this policy of co-operation. Most of the recommendations from the CTIVD concerning the AIVD's collaboration with foreign intelligence and security services have been incorporated in this policy.

### 11.3 Co-operation with the MIVD

The AIVD and the MIVD have distinct tasks, as set out respectively in Articles 6 and 7 of the Intelligence and Security Services Act 2002. And they perform these tasks in different organisational, political, administrative and operational environments. Where useful and possible, however, the two services do co-operate intensively or perform tasks jointly. This regularly results in temporary or continuing co-operative arrangements and aligned or joint reports. The MIVD and the AIVD work intensively together in the National Sigint Organisation.

This co-operation was given new shape in 2008 with the establishment of the joint Counterproliferation Unit. Since then, it has become clear that this unit has produced advantages expected of it in terms of synergy – specifically, improved analyses, and a strengthening of the national information position. A new structural working relationship with the MIVD is planned for 2010. Such partnerships are managed from both services. Furthermore staff members involved in the performance of the intelligence task are seconded between them.

### 11.4 Information management

The primary working process of the AIVD consists mainly of processing large amounts of information. In the next few years, the size of the information flows that the AIVD will have to process will increase further. This results from increased operability, as well as from the connection to new commercial and government databases, the implementation of internet investigation and the development of signals intelligence (Sigint). The use of information from foreign partner services and domestic partner agencies contributes to this as well.

The content of the work places special demands upon information management. The use of special investigative powers requires extensive checks and safeguards with respect to the reliability and accountability of information processing. Moreover, dealing with state secrets places the highest possible requirements on information security. This is why the AIVD must employ the best possible information management for the proper performance of its tasks.

The modernisation of information management is focusing upon improved dossier creation and increasing the capacity to search for and find information. This process will continue until the end of 2010.<sup>8</sup> At this point, the information management catch-up operations should be complete. In 2009 the AIVD took the following important steps in modernising its information management:

- a new technical basis was developed for the document management system. This will safeguard the continuity of data processing both now and in the future (dossier creation);
- a new system was put into operation to support security screening (dossier creation);
- the Counterterrorism Infobox system for searching information from partners underwent further development to better support the work process;
- new search functions were developed to search and relate databases (ability to search for and find information);
- the AIVD reorganisation required that systems be modified to support new and existing work processes, authorisations and management information;
- finally, a number of systems were updated and placed under central management. These are the systems that support the acquisition and processing of information for the special intelligence resources, such as Sigint and telephone and Internet taps.

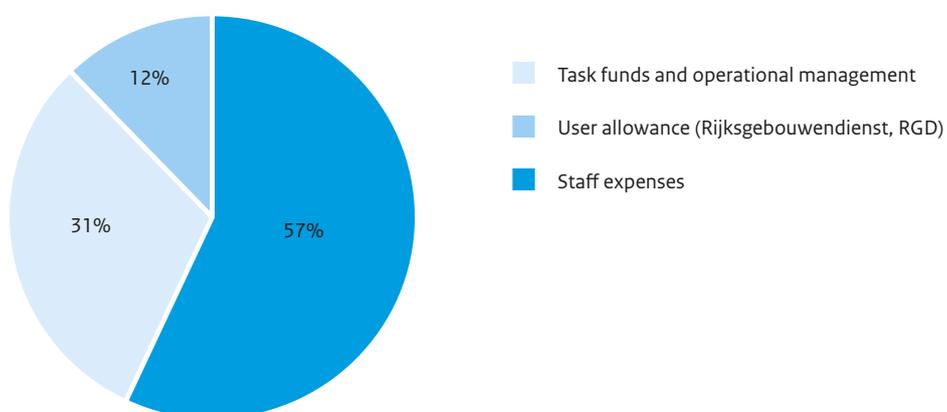
In accordance with the recommendations of the Netherlands Court of Audit (Algemene Rekenkamer) with respect to managing risks in the performance of large ICT projects, the modernisation of the information management was subjected to an external review. The Expertise Centre (Het Expertise Centrum, HEC) established that substantial improvements were achieved in the ICT management process in 2008 and 2009, and that the AIVD properly uses ICT project management.

<sup>8</sup> Second Chamber of the States-General, 2007-2008 session, 30 977 no. 10.

## 11.5 Operations

In millions of euros	2008	2009
<b>Expenditure</b>	175.2	<b>189.7</b>
General expenditure	169.2	<b>181.5</b>
Confidential expenditure	6.0	<b>8.2</b>

Figure 1: AIVD expenditure in 2009



# Glossary

## Activism

The general name for the phenomenon where people or groups, extra-parliamentary but within the limits of the law, strive to improve the rights and living conditions of individuals, groups and also animals.

## Agent

A person who, instructed by and reporting to the AIVD, is assigned to gather specific intelligence concerning persons and organisations. They may do this under an assumed identity or position, but not necessarily. The information in question is either of potential relevance to the AIVD's performance of its own task or could assist the service in taking measures to protect others.

## Al-Qaeda

In current usage, this refers collectively to both core Al-Qaeda (qv) and to networks associated with it. These are allied with one another ideologically: the leaders of local jihadist groups adopt the ideology of the international jihad held by core Al-Qaeda and swear their allegiance to its leader, Osama bin Laden. They subsequently use the name Al-Qaeda, followed by the name of the area where they are active. Examples are Al-Qaeda in the Islamic Maghreb (AQIM) and Al-Qaeda in the Arabian Peninsula (AQAP). These groups may support the international jihad, but they also clearly have their own individual agendas. There is not necessarily any co-operation or control taking place between core Al-Qaeda and the allied organisations. Because the term Al-Qaeda can refer to different organisations, the practical use of the term presents difficulties. Common practice is to use the specific name of the organisation in question.

## Core Al-Qaeda

The AIVD considers core Al-Qaeda as the group of international jihadists who are organised around the leaders – or their successors – of the Al-Qaeda organisation which moved from Afghanistan to the tribal areas of Pakistan in late 2001. However, this does not mean that all the associated jihadists are also located temporarily or permanently in Pakistan.

## Counterterrorism Infobox (CT Infobox)

A partnership of the AIVD, the Fiscal Information and Investigation Service (FIOD-ECD), the Immigration and Naturalisation Service (IND),

the National Police Services Agency (KLPD), the Royal Military Constabulary (KMar), the Military Intelligence and Security Service (MIVD) and the Public Prosecution Service (OM), with the AIVD as lead agency. Its aim is to combat terrorism by centrally compiling and comparing information. This concerns people and networks involved in some way with terrorism, particularly Islamist violence, and the associated radicalisation. The CT Infobox advises the participating agencies and others about the desirability of releasing information, as well as on opportunities to use the criminal law, immigration law, administrative sanctions or intelligence-related measures in the fight against terrorism.

## Countries of concern

Countries suspected of developing weapons of mass destruction and their delivery systems, and which pursue objectives that may pose a threat to the international legal order and to the security and interests of the Netherlands and its allies.

## Dawa

The AIVD uses this term (in Arabic the “call to Islam”) to refer to – usually peaceful – activities intended to persuade as many Muslims as possible to profess the faith actively. In the case of non-practising Muslims, that means returning them to active religion. See also radical dawa.

## Delivery systems

Means of delivery necessary for the effective use of chemical, biological, radiological and nuclear (CBRN) weapons, such as ballistic missiles, cruise missiles and unmanned aircraft.

## Dual-use goods

Goods or materials which can be used for either civilian or military purposes. This term is used in the fight against further proliferation of weapons of mass destruction.

## Extremism

The phenomenon whereby people and groups, when striving to improve the rights and living conditions of individuals, groups or animals, consciously break the law and commit illegal acts which may be violent.

### **Intolerant isolationism**

A form of radicalism, on ethnic, religious, ideological or political grounds, which involves highly intolerant attitudes towards other sections of the population and so seeks to create so-called enclaves for its own group. In those domains, there is no place for groups from different ethnic backgrounds or with dissenting religious, ideological or political views (exclusivism). In many cases, efforts are also made to impose the dominant group's own laws and standards over those of the Western host nation (parallelism).

### **Islamism**

A radical movement within Islam which seeks to make society a reflection of what it claims is prescribed in the original sources of the faith: the Koran and the Sunnah (the sayings and practices of the Prophet). Islamism has a political agenda, which may find its expression in violent, non-violent or even democratic forms, and is related to Salafism.

### **Jihadism**

An extremist ideology based upon the glorification of violent jihad, or holy war.

### **Jihadist network**

A fluid, dynamic, vaguely delineated structure consisting of a number of radical Muslims with some form of mutual association, both individually and at a collective level in the form of cells or groups. At least temporarily, they are linked by a common purpose: the pursuit of a jihadist aim. For the AIVD, a person involved with a jihadist network is classified as a member if they play an active part in it and consciously contribute towards achieving the jihadist goal.

### **National security domain**

See Safety and Security System

### **Official report (Ambtsbericht)**

A notification – in writing – to a person or institution revealing personal details known to the AIVD that could be of interest to the recipient in discharging their responsibilities and taking measures. Official reports can pertain to criminal law or immigration law.

### **Position involving confidentiality**

A job or other appointment in which the holder can potentially abuse knowledge or powers to seriously compromise national security or other important national interests. This is the case when there is access to state secrets, when a lapse of integrity could endanger national security and in certain specific positions in vital sectors.

### **Proliferation**

The spread of weapons of mass destruction (nuclear, chemical, radiological or biological) and of their delivery systems.

### **Radical dawa**

As an extension of the classical interpretation of the term dawa, this refers to radical Islamic activities – including but not limited to religious conversion efforts – as performed by, for instance, a variety of missionary movements from the so-called Islamic guide nations in the Middle East. The radical nature of these activities lies in the fact that they seek to fundamentally reform society along strict Islamic lines, in the process eliminating Western constitutional democracy, openness and pluralism.

### **Radicalisation**

An increasing willingness to pursue and/or support fundamental changes in society, possibly by undemocratic means, which are in conflict with or could pose a threat to the democratic legal order.

### **Safety and Security System**

A co-operative arrangement, led by the Safety and Security Unit of the National Co-ordinator for Counterterrorism (NCTb), that bears responsibility on behalf of the central government for the security of the people, property and services in the Netherlands which are part of the so-called national security domain. The AIVD provides threat information concerning these people, objects and services within the context of the System.

### **Salafism**

A broad ideological current which seeks a literal return to the 'pure Islam' of the faith's early period.

### **Security screening**

An investigation of an individual in search of facts and circumstances which, on grounds of national security, may be relevant to filling a specific position involving confidentiality.

### **Sensitive information**

State secrets and other information, the disclosure of which to unauthorised persons might harm the interests of the Dutch state or its allies.

### **Separatism**

Efforts by a particular section of the population to separate itself from existing national ties and establish its own state.

### **Sigint**

Signals intelligence: the interception and localisation of electronic signals transmitted on radio frequencies.

### **Special intelligence resources**

Technical and other instruments which are deployed in the exercise of a special power under the Intelligence and Security Services Act 2002 and which are usually secret in nature.

### **Terrorism**

Ideologically motivated actual or threatened violence against persons, property or the fabric of society, with the aim of bringing about social change, creating fear amongst the population or influencing the political decision making process.

### **Terrorism lists**

There are several such lists, including those issued by the United Nations and the European Union. The UN list, compiled pursuant to Security Council Resolution 1267, contains the names of persons and entities suspected of terrorist activities associated with Al-Qaeda. The EU list complements this, naming individuals and groups not related to Al-Qaeda.

### **Third-party rule**

In the intelligence and security community, the principle that information received from another service is for the recipient agency's own use only and cannot be provided to third parties without the prior permission of the originating service. Also called the third-country rule.

### **Violent jihad**

The armed struggle against supposed enemies of Islam, legitimised by the invocation of Islamic legal doctrine.

### **Vital sectors**

Sectors and sections of the national infrastructure which are so crucial to Dutch society that their failure or serious disruption could cause major damage to society.

## AIVD Publications 2009

- Resilience and Resistance; *Weerstand en tegenkracht; actuele trends en ontwikkelingen van het salafisme in Nederland*
- Local Jihadist networks in the Netherlands; an evolving threat; *Lokale jihadistische netwerken in Nederland; veranderingen in het dreigingsbeeld*
- About security measures concerning USB sticks; *Bescherming tegen onveilige usb-sticks; risico's en maatregelen.*
- The Flames of Resistance – Growing opposition to asylum policy; *Het vuur van het verzet; groeiende weerstand tegen het Nederlandse asiel- en vreemdelingenbeleid*
- Positions involving confidentiality and security screening; *Vertrouwensfuncties en veiligheidsonderzoeken*
- Personal conduct and circumstances guide (co-publication with the MIVD); *Leidraad persoonlijke gedragingen en omstandigheden*
- About weapons of mass destruction and the risks to companies and scientific institutions; *Productie en verspreiding van massavernietigingswapens; risico's voor bedrijven en wetenschappelijke instellingen* (co-publication with the MIVD).
- AIVD Annual Report 2008; *AIVD jaarverslag 2008*
- Animal rights extremism in the Netherlands: fragmented but growing; *Dierenrechtenextremisme in Nederland: gefragmenteerd maar groeiende*

These and other publications from AIVD can be downloaded or ordered from the AIVD website ([www.aivd.nl](http://www.aivd.nl)).



Louis Einthoven, the first head of the National Security Service (Binnenlandse Veiligheidsdienst, BVD), the predecessor of today's General Intelligence and Security Service (Algemene Inlichtingen- en Veiligheidsdienst, AIVD), was responsible for the service's motto and shield. He believed that citizens in a democracy such as ours must play an active role in society, and not just passively drift along on the waves of history. The motto he chose was *Per undas adversas*: against the current. Living fish swim against the current; only the dead ones are carried along. This saying symbolises the service's mentality: it is an active organisation, working against the current if necessary, watching out for threats to national security.









## **Colophon**

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