

# National counterterrorism strategy 2011-2015

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# Summary

## **Objective**

Preventing terrorism is of crucial importance, not only because of the often serious consequences of an attack in terms of loss of human life and material damage, but equally because of the damage which an attack or a threat can cause to the democratic process and the legal order. If a politician, a company or a citizen feels forced to do something and therefore no longer feels free to make legitimate choices, this may have a fundamentally detrimental effect on democracy and legal order. The same applies if vital elements of our society such as power, communication or the banking system are affected. Effective counterterrorism focuses on eliminating the causes of terrorism as well as on preventing it. Counterterrorism also ensures that protective measures are taken against a possible attack, and that preparations have been made to deal with the consequences of such an attack.

The objective of the strategy is to reduce the risk and the fear of terrorist attacks and to limit the possible damage following any attack.

A cohesive approach is needed. Since 2005, various policy initiatives have been taken and instruments put in place in the Netherlands to reduce the risk of a terrorist attack and to limit the possible damage after any attack. Moreover, the necessary changes in legislation have been implemented to increase the cohesion, coordination and effectiveness of Dutch counterterrorism policy. The most important achievement cannot, however, be expressed in terms of a law, rule or instrument. The fact that so many players are active in counterterrorism in such a wide range of networks requires cohesion, harmonisation and coordination. The cohesion between intelligence, policy and operation has grown in size and strength in recent years thanks to a central coordination structure. A comprehensive and strategic vision of the future of counterterrorism (CT) in the Netherlands continues to be necessary, in order to give direction to all parties involved in counterterrorism and to maintain the strength of all the links in the security chain.

## **Threat-related developments**

The terrorist threat is first and foremost international in nature and (partly as a result) largely unpredictable and changeable. The nature and extent of the threat are not constant. In the recent past, periods of relatively high domestic and foreign threats have been interspersed with periods during which the Netherlands was under less of a threat. This varied picture is also visible in countries like the United States, the United Kingdom, France, Germany and Denmark.

At the beginning of 2011 the Netherlands was not a specific target of international terrorism. Having said that, the Netherlands is still a legitimate target in jihadist circles, which are currently the most important source of information on the terrorist threat. As an open society, the Netherlands continues to be vulnerable to all global developments related to terrorism. The consequences of globalisation, the increasing travel and migration flows, the emergence of failed states, technological developments and innovations, the proliferation of (knowledge about) weapons of mass destruction: these are all developments which have direct consequences for the nature and extent of the threat. These developments have to be permanently monitored.

Lastly, the activities of non-jihadist international terrorist groups are also important. They are also an important element of the international threat. Examples are activities like recruitment and fundraising. Although these groups do not constitute a direct threat for Dutch national security and Dutch interests abroad, they are a threat to the national security of key foreign partners.

### **Points of departure**

No-one is born a terrorist. Before someone decides to place his own life and that of others in the balance by using violence to pursue a political or religious goal, he/she undergoes a process of radicalisation. This fundamental idea is at the basis of the so-called 'comprehensive approach' of Dutch counterterrorism policy. The aim is also to focus on the early identification of processes of radicalisation among groups and individuals in the Netherlands and abroad, so that specific intervention strategies can be used to prevent the people in question from committing acts of terrorist violence. Different responses of a more repressive nature are required for those who have already decided to commit violence or who are on the point of doing so.

When formulating and executing the counterterrorism policy, the Dutch government uses the following points of departure:

- The policy must be oriented towards preventing deliberate infringements of our state organisations, the democratic legal order and our vital infrastructure.
- Counterterrorism and security measures must have a legal basis to safeguard the legal protection of the citizen.
- Counterterrorism measures must be proportional, and as much as possible in balance with the free exercise of basic rights.
- The cross-border nature of terrorism makes international cooperation essential.



- The nature of the threat determines the approach. This applies at strategic, tactical and operational level.
- The unpredictable and changeable nature of the threat and the large number of parties involved mean a central coordination structure is essential.
- The procurement of information and intelligence forms the foundation for the ability to prevent (support for) terrorism.
- Effective counterterrorism demands a rapid and coordinated translation of intelligence into policy and implementation.
- An optimal link is necessary between the international, national and local levels.

### **Five pillars**

The Dutch commitment in the field of counterterrorism has been developed on the basis of these points of departure into the following five components:

#### *1. Procure*

The collection of information and intelligence in the Netherlands and abroad forms the basis for making thorough threat analyses. The more concrete information is available, the more insight there is into the nature and extent of the threat and the more possibilities there are for specific intervention to prevent terrorism and identify processes of radicalisation in time. The increasing unpredictability and changeability of the threat, in combination with an increasingly strong international, national and local interrelation, mean that good information and intelligence gathering is essential. This has been the focus of significant investment in recent years. The focus in the coming years will primarily be on promoting and facilitating the timely exchange of relevant information between the multitude of organisations and bodies which each have their own pieces of information. These facets need to be improved in order to ensure the timely identification and response to new security risks which result from modern technology, the dramatic increase in travel movements and the risks represented by radicalising individuals. The importance of the proactive procurement of intelligence in and about foreign countries is increasing due to such security risks and this will be encouraged.

#### *2. Prevent*

In line with international developments, the focus of the Dutch government is increasingly on the prevention of violent extremism. Non-violent forms of extremism and orthodoxy are not by definition

worrisome from the security point of view. In order to prevent violent extremism among individuals or groups and (ultimately) to counteract terrorist crimes, intervention will have to take place as soon as possible. The current terrorist threat comes primarily from jihadists. The strategy is aimed at measures designed to hinder the carrying out of an attack (terrorism as a deed) and measures intended to prevent or avert violent extremism (terrorism as a phenomenon). In order to tackle violent extremism (and ultimately terrorism) effectively, the Dutch government is also going to work simultaneously on increasing the resilience on the demand side of certain groups in society, on undermining the supply of the terrorists' narrative, reducing the breeding ground for terrorism and investing in deradicalisation. International cooperation is essential in these areas as well.

### 3. *Protect*

The state, the legal order and the (vital elements of) Dutch society must be optimally protected against concrete and virtual terrorist threats or attacks. This demands thorough and realistic preparation. The point of departure is that it has to be possible for the threatened person, the object, the sector or the event to function with as little interference as possible. The degree and the extent of the protection are aimed at making threats and risks manageable, rather than eliminating them completely. This implies the protection of people, objects, events and services which make up the core of our state and legal order. Examples are the Royal Family, politicians, members of the judiciary, government buildings, embassies and international organisations. Steps also need to be taken to prevent vital sectors such as the energy sector, the financial sector, the telecommunications sector and the civil aviation sector from being negatively affected. Lastly, attention is being paid to the protection of the national harbours and airports.

The strategy as regards this element is aimed primarily at the optimal combination of technological protection resources, the timely identification of the security risks of new technological developments and the realisation of the importance of the human factor as regards encouraging security ('security awareness'). The strategy is also aimed at reducing the possibilities of illegally acquiring or manufacturing chemical substances and homemade explosives, and the timely identification of radicalised individuals.

#### 4. *Prepare*

Dutch society must be aware of the possibility of an attack and must be prepared for the (possible) consequences. Thorough crisis decision-making after an attack, effective assistance, practice sessions with crisis situation simulation training, and optimal communication with the general public are therefore essential as well. Public and crisis communication will have to be aimed at specific target groups in the international and national arena to prevent or reduce any new discrepancies. In addition, the coordination structure must be organised in such a way that intelligence, policy, implementation and assistance can be linked rapidly and effectively.

#### 5. *Prosecute*

The detection, prosecution and sentencing of people who are suspected of committing terrorist crimes, or of preparing them, are essential elements of counterterrorism. National legislation – criminal, administrative and civil - has been expanded in recent years as a result. Given the sometimes quite considerable violations of the privacy of citizens in particular, these specific measures are to be monitored and evaluated periodically. The increased international dimension of the terrorist threat means international cooperation between the police and judiciary is of crucial importance. Bilateral and multilateral cooperation with other countries and multilateral organisations will be encouraged.

### **Strategic choices**

The five elements described above lead to a number of activities for the coming years. The main objective of these activities is to ensure that the Dutch government is prepared for future developments and threats. They also result from points for improvement which have been highlighted in recent years in evaluations and in current activities and programmes in the field of counterterrorism. It is important that the strategic choices relate to the movement which is to be initiated in the coming five years within the thematic areas. This will lead to specific strategic choices for the period up to 2015, which are subdivided into four clusters: International Jihadism, Migration and Travel movements, Technology and Innovation, and Continued Development of the Surveillance and Protection system. The clusters are explained in more detail below.

## 1. International jihadism

The developments in the jihadist conflict areas and the activities of transnational jihadist networks have a major influence on the discourse and the propaganda on jihadist web fora and on the agenda of jihadists in the West. A thorough approach to international jihadism requires cohesion.

### Jihadist conflict areas

Developments in jihadist conflict areas affect the threat and power to act of transnational jihadist networks.

#### *Choice:*

*The Netherlands contributes internationally to the prevention and neutralisation of any further escalation in the jihadist conflict areas. It is essential to have an insight into the developments in these regions and the resulting risks. The cohesion between foreign policy, the MOD, intelligence and national counterterrorism policy aimed at the respective regions will be further encouraged, both at policy level and locally where possible.*

### Jihadist discourse/propaganda

Terrorism consists to a large extent of propaganda. The instilling and perpetuation of fear is an essential aspect of the jihadist strategy. In addition, the propaganda is directed at the recruitment and mobilisation of supporters.

#### *Choice:*

*The Netherlands is doing its best to combat the distribution of jihadist propaganda and to further restrict the effect of the jihadist discourse. This is being done by taking action against extremist websites and by encouraging the development of counter-narratives in cooperation with international partners.*

## 2. Migration and travel movements

Migration and travel are inextricably linked with the openness of Dutch society. Security risks related to migration and travel movements have to be identified and tackled in an early stage.

#### *Choice:*

*The Dutch government is initiating policy to prevent situations whereby migration policy could be misused for terrorist purposes, or situations whereby people who have been admitted to the Netherlands could become susceptible to radicalisation. For example, steps need to be taken to prevent travel movements taking place from the Netherlands to training camps and terrorist conflict areas (and vice-versa). This requires improved border surveillance, an optimally functioning*

*migration chain, security awareness among contact officials in the Netherlands and abroad, and an adequate informative position of municipalities and intelligence services regarding local developments.*

### 3. Technology and innovation

The Netherlands wants to adapt in good time to the opportunities and threats which technology and innovation imply. The focus is on three issues: Internet, technological developments and CBRN/E.

#### Internet

Internet is a cross-border, many-sided network which is largely in private hands and which is developing extremely quickly.

##### *Choice:*

*The Dutch government will use strategic alliances with public and private partners in the Netherlands and abroad to monitor Internet abuse for terrorist purposes and counteract this wherever possible. The 'Notice-and-Take-Down' (NTD) code of conduct developed in the Netherlands is being promoted internationally as an example of cooperation between the government and the private sector on behalf of a safer Internet.*

#### Technological developments

Technological developments are taking place very quickly. This requires alertness to the opportunities and threats, but also a discussion of possible social and ethical aspects of technology and science, including potential risks.

##### *Choice:*

*The Dutch government carries out periodical technological studies to identify new developments which are relevant for CT. These studies provide a basis for deciding which developments should be specifically supported or used, or which ones should lead to changes in policy. The government is itself going to initiate fundamental research as well. In that context, special attention will be paid to technological trends in civil aviation.*

#### CBRN/E

Although terrorist organisations are not (yet) expected to have access in the foreseeable future to chemical, biological, radiological and nuclear weapons, extreme alertness to the risk is advised. In addition, technological and scientific developments in the CBRN/E field are leading to new ethical and social dilemmas and risks.

*Choice:*

*The Dutch government is cooperating intensively with partners in the Netherlands and abroad to neutralise the (potential) CBRN/E threat. In addition, developments in attack methods and/or modi operandi will provide a basis for assessing which countermeasures need to be taken.*

#### 4. Continued development of the Surveillance and Protection system

To achieve an effectively functioning Surveillance and Protection system it is important to keep developing essential elements of the system.

##### Radicalised individuals

Recent incidents and developments in the Netherlands and abroad justify extra attention being paid to the way radicalised individuals are tackled.

*Choice:*

*Early detection and a tailor-made approach to radicalised individuals are essential. The aim is to increase the alertness at local level. More research is also being done into the causes of this type of threat and into concrete types of solutions, such as earlier detection and intervention.*

##### Security awareness and performance

Counterterrorism cannot be the exclusive responsibility of government organisations. A broad social awareness of security is required.

*Choice:*

*The Dutch government is focusing on the continued extension of 'security awareness and performance' among professionals in the public and private sector. Time and resources will be made available for the identification of deviant behaviour and the provision of operational perspectives, which will lead to a greater degree of security awareness among professionals in ATb companies, at CBRN institutions and in the public sector.*

##### **Periodical evaluation**

The report entitled Counterterrorism Measures in the Netherlands in the first decade of the 21st century observes that the counterterrorism policy in the Netherlands is characterised by the capacity to learn from studies and evaluations of the development and implementation of the policy. The Dutch government has already indicated that it is going to periodically evaluate the CT policy and its implementation, and assess its legitimacy, effectiveness and proportionality. This periodical evaluation enables the Dutch government to learn lessons from practice and to integrate these insights into the formulation of new proposals.

The next comprehensive evaluation is going to take place at the end of the term of this CT strategy. In addition, the Dutch government will argue at European level in favour of an evaluation of EU counterterrorism policy.

# 1

## Introduction



## 1.1 National strategy

This national strategy for counterterrorism in the Netherlands presents an integral and cohesive approach to terrorism for the coming years. The main point of departure is that an effective approach to terrorism can only succeed if the phenomenon is nipped in the bud. Not only must the acts of violence themselves be tackled, but also the process that preceded these acts. In doing so, the aim is to identify processes of radicalisation<sup>1</sup> among groups and individuals at an early stage, so that specific intervention strategies can be used to prevent a situation whereby they continue to radicalise and become violent, and eventually start committing terrorist acts. Different responses of a more repressive nature are required for those who have already taken the step towards being prepared to commit violence, or who are on the point of doing so. This combination of preventive and repressive measures is known as the 'comprehensive approach' and has been used successfully in the Netherlands for some time now. The comprehensive approach forms the basis of Dutch CT policy.

The objective of this strategy is to reduce the risk of a terrorist attack and the fear of one, and to limit possible damage after any attack.

Terrorism is not a new phenomenon. Throughout history targeted violence has been repeatedly used to cause social disruption or to make people fearful, with the ultimate goal being to influence political decision making. However, the extent and character of such violence have changed in the last decade. The number of terrorist attacks has increased, both nationally and globally, since the beginning of this millennium. These attacks have primarily come from jihadist quarters. Examples are the attacks on 11 September 2001, and those on Bali (2002), in Madrid (2004), London (2005), Mumbai (2008), Jakarta (2009) and the failed attack on the NWA flight to Detroit (2009). In the Netherlands the murder of Theo van Gogh (2004) is an example of a jihadist attack. The murder of Pim Fortuyn (2002) was proof that the threat of political violence can also come from a different quarter.

Since 2005 the Netherlands has had a national coordination structure for counterterrorism. On 1 January 2005 the National Coordinator for Counterterrorism [Nationaal Coördinator Terrorismebestrijding] (NCTb) was appointed to fulfil the coordinating task in relation to counterter-

<sup>1</sup> Radicalisation in this document means: the process that can lead to violent extremism and ultimately terrorism. Violent extremism is the preparedness to use violence as the extreme consequence of an extremist way of thinking.

rorism. After all, a whole range of players are involved in counterterrorism. The Ministry of Security and Justice, the Ministry of the Interior and Kingdom Relations, and the Ministries of Foreign Affairs, Defence and Finances are just a few examples. In addition, organisations like the AIVD, MIVD, KLPD, OM, IND, KMar, and Customs as well as the municipalities, all play an important role in these efforts. The fact that a large number of players are involved in counterterrorism demands cohesion, coordination and harmonisation. This is necessary to ensure the efficiency and effectiveness of the policy of these actors. As a knowledge, analysis and policy organisation the NCTb forms a unique link between international, national and local developments. The point of departure in this context is that effective counterterrorism is characterised by an optimal link between intelligence, policy and implementation.

In the period 2005-2009 a number of essential policy initiatives were taken and various instruments developed and implemented. In addition, changes in legislation and in the decision making structure were implemented - a number of them even before 2005 – to increase the cohesion, coordination and effectiveness of Dutch counterterrorism policy. This resulted in, among other things:

- the formalisation and effective functioning of the CT Information Box<sup>2</sup>;
- a changed crisis decision-making structure;
- a more efficient information exchange between the parties concerned;
- the setting up of an alert system for the vital sectors (ATb: the Counterterrorism Alert System [Alerteringssysteem Terrorismebestrijding]);
- improved international cooperation;
- the creation of periodical threat assessments (DTN: the Terrorist Threat Assessment Netherlands [Dreigingsbeeld Terrorisme Nederland]);
- a coordinated approach to the prevention of terrorism involving the use of chemical/biological/radiological/nuclear resources (CBRN) and/or home-made explosives;

<sup>2</sup> The Counterterrorism Information Box is a partnership between AIVD, IND, KLPD, MIVD, OM, FIOD, KMar, FIU-NL and NCTb. The aim of the CT Information Box is to contribute to counterterrorism by bringing information on networks and people which are in some way involved in terrorism and related radicalisation together at a central point to assess it in a multidisciplinary manner.

- a Notice-and-Take-Down code of conduct (NTD) for the Internet, in cooperation with private parties;
- a properly functioning system of surveillance and protection;
- the setting up of the Special Interventions Service [Dienst Speciale Interventies] (DSI);
- a targeted effort to tackle the breeding ground for violent extremism and terrorism;
- a programme to promote 'security awareness and performance';
- the Crimes of Terrorism Act [Wet terroristische misdrijven] of 24 June 2004 (Bulletin of Acts, Orders and Decrees 290);
- the Act to broaden the possibilities for detecting and prosecuting terrorist crimes [Wet ter verruiming van de mogelijkheden tot opsporing en vervolging van terroristische misdrijven] of 20 November 2006 (Bulletin of Acts, Orders and Decrees 580).

These are just a few examples.

Now it is time to draw up the balance. There are two reasons for doing so. First and foremost, the measures which have to be taken within the framework of counterterrorism, since the attacks in the United States on 11 September 2001, the attacks in Madrid on 11 March 2004 and the setting up of the NCTb in 2005, must be presented in their mutual cohesion. Secondly, the recommendations of the Suyver commission<sup>3</sup> regarding the evaluation of Dutch counterterrorism policy and the resulting report entitled 'Counterterrorism measures in the Netherlands in the first decade of the 21st century' [Antiterrorismemaatregelen in Nederland in het eerste decennium van de 21e eeuw] provide a good insight into the effects and the cohesion of these measures. This total overview provides a point of departure for future counterterrorism measures.

The report Antiterrorismemaatregelen in Nederland in het eerste decennium van de 21e eeuw (NCTb, January 2011) relates to the creation, application, assessment and adaptation of counterterrorism measures in the Netherlands between 2001 and 2010. The report contains an evaluation of terrorism measures identified within the frameworks set by the Suyver commission. It also contains a clarification of improvements already initiated, based on practical experience and insights from studies, exercises and jurisprudence. One of the points for improvement in the report reads: 'In order to safeguard the integral approach to terrorism and to provide insight into the cohesion between existing and

<sup>3</sup> Section 3 (paragraph 3.2) explains what this programme entails.

<sup>4</sup> Parliamentary documents II 2008/2009, 29754, no. 164

any new measures, a national counterterrorism strategy is to be drawn up.’ The report also presents a framework for evaluation that can be used in the future. The proposed five-year evaluation of Dutch counterterrorism is the logical and consistent prelude to a review of counterterrorism strategy.

From the above list it can be concluded that a substantial number of results have been achieved in a relatively short period of time. At the same time, changing circumstances in the Netherlands and abroad demand a strategic (re)orientation towards the future. For example, the national threat in 2011 is significantly lower than in 2005, but the foreign threat against the Netherlands and its interests is significantly higher than back then. The causes of this are clarified in paragraph 2.2. This strategy is intended to identify the strategic points of departure for future counterterrorism measures which are intended to protect national security, Dutch democracy and the constitutional state. In addition, the strategy helps to increase further the cohesion in Dutch counterterrorism in a broad sense, in line with the advice of the Suyver commission.

Given the fact that a terrorist threat can result in social disruption and have an adverse effect on one or more vital interests, this threat is also an important element of the Dutch government’s national security strategy. Whenever there are generic capacities which are usable in conjunction with several types of threat, these are, of course, developed and used together wherever this is possible.

## 1.2 Terrorism

In order to tackle the terrorist threat it is important to use a clear description which is recognisable to all parties. From a policy-related and strategic perspective, all the parties involved in CT in the Netherlands use the following ‘working definition’ of terrorism:

Terrorism is the threat or preparation of, or the committing of, serious violence based on ideological motives against people, or deeds aimed at causing socially-disruptive material damage with the goal being to cause social change, to instil fear among the population or to influence political decision-making.<sup>5</sup>

<sup>5</sup> See also Parliamentary Documents I 2010/11, 30 164, no. J, pp. 3-4.

This description contains a number of different elements. First and foremost there must be (the threat of) serious violence based on ideological motives. The violence also has to be aimed at people or things. This strategy refers to serious violence if it is (potentially) life-threatening, or if it concerns damage which can disrupt society. Lastly it has to be aimed at bringing about social change, it must instil fear among (large sections of) the population and/or try to affect political decision making. The ideologies or political motives on which the acts of the terrorists are based are irrelevant to Dutch CT policy. The key factor when determining whether an event amounts to terrorism is whether serious violence has been committed, or whether there is a threat of serious violence being committed.

It is crucially important to have a clear working definition of the phenomenon of terrorism which is generally accepted and used by the various parties involved in counterterrorism. Such a definition is important from a political point of view, because it provides clarity regarding which goal the policy measures are intended to achieve. It also determines which acts and perpetrators are eventually labelled as 'terrorist' and which not. Such a definition is necessary, due to possible discussions which can arise about policy decisions relating to grounds for exclusion for insurance, methods of identifying terrorists, inclusion of people in the CT Information Box or the use of special intelligence resources. Terrorism is a very serious phenomenon because it is intended to harm the foundations of the constitutional state and society. That is why, where necessary, the state combats terrorism using the most robust means possible (provided there is a legal basis). However, efforts have to be made to prevent other phenomena, such as street violence and breaches of the peace, which in themselves need to be taken seriously, from being grouped under the category of terrorism. This is due partly for reasons of the proportionality, legitimacy, support and effectiveness of CT policy, and of its position within the framework of the constitutional state.

Lastly it should be noted that the working definition of terrorism is deliberately concise and formulated in non-legal language for practical use by the government organisations involved in counterterrorism. It is also intended to make communication on terrorism easier with politicians and the public.

### 1.3 Scope and target group

For an all-embracing CT strategy it is important that there be a clear definition of the scope and target group. The Dutch government has made the choice, in the first place, to tackle terrorism threats on Dutch territory. Secondly, investments are being made in the prevention or reduction of the terrorist threat by taking measures which cross Dutch borders, to reduce the chance of a terrorist attack in the Netherlands to a minimum. Thirdly, attention is being paid to threats against Dutch citizens and Dutch interests abroad. The scope of this strategy initially focuses on these three aspects. In addition, the government is obliged, on the basis of Article 90 of the Constitution, to promote the international legal order. It is therefore doing all it can to help combat terrorism elsewhere in the world as well.

What this strategy is explicitly not intended to lead to, is a renewed 'war against terrorism', an initiative to combat specific religious minority groups or a Dutch contribution to the so-called 'clash of civilisations'. The point of departure of this strategy is that terrorist crimes must be prevented and resisted, irrespective of the ideological basis on which they are committed.

Of course, the Dutch government cannot guarantee that it can prevent any terrorist attack. The primary point of departure as regards counter-terrorism is that the government should act proportionally at all times, and that it should comply with legislation and regulations, and respect all the principles of the constitutional state. It will also weigh up all the interests at issue, such as safety interests and economic, social and/or political interests. One example is that, in theory, the use of all potential hazardous substances can be banned to prevent attacks using home-made explosives. However, this would entail such large-scale consequences for the business community (for example industry, retail trade and agriculture) that the Dutch government does not consider this measure to be proportional in the light of the current threat. Partly as a consequence of the Dutch commitment in the EU context, the focus therefore has to be on proportional measures for the riskiest precursors for home-made explosives.

The definition of terrorism is in line with the primary target group of the Dutch CT policy, namely people or groups that commit serious violence based on ideological motives<sup>6</sup> that are targeted at people, or acts which are aimed at causing serious, socially-disruptive material damage.

<sup>6</sup> Or that prepare – or threaten to carry out – such acts.

These days the target group is primarily jihadists. They constitute the most acute and probable future terrorist threat against the Netherlands and Dutch interests abroad. The joint efforts in the field of counterterrorism will therefore concentrate on this group. Of course, one cannot rule out a similar threat also coming from another source in the near future. Proper monitoring of other forms of ideologically motivated extremism<sup>7</sup> is therefore required. For the time being these are not going to be the focus of specific CT policy, but will be the focus of efforts to counteract further radicalisation towards violence. If the intelligence and security services consider it to be necessary in the coming years, or if the social situation requires such, these threats will be comprehensively tackled.

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<sup>7</sup> Such as left-wing extremism, right-wing extremism, animal rights extremism, anti-globalisation or anarchy.

# 2

## Analysis of the threat



## 2.1 Introduction

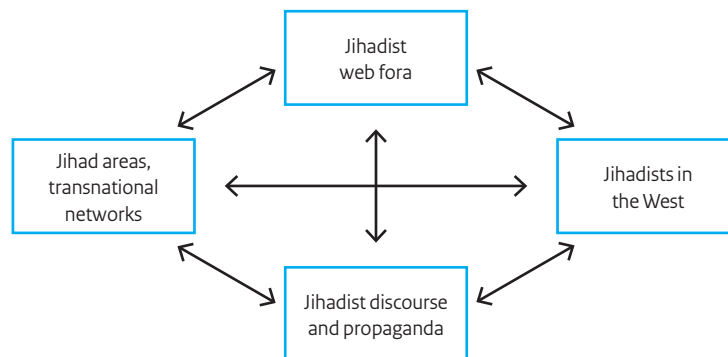
The current terrorist threat in the Netherlands comes primarily from jihadists. This threat comes primarily from international jihadist groups that regard the Netherlands as a legitimate target due to Dutch support for international military missions in conflict areas (such as Iraq and Afghanistan) and statements made in the Netherlands which some perceive as being insulting to Islam. Various conflicts, for example in the Middle East, project an image to certain (European) countries. The perception of the role which 'the West' plays in these conflicts, in which Muslims are generally involved, can have radicalising effects. In addition, an increasing threat is posed by jihadists (returning) from terrorist conflict areas, who then disperse to other areas, including the Netherlands. So-called 'failed states' and 'failing states' can also serve as refuges for certain groups, for example for the setting up of training facilities. The 'volatility' of the threat demands flexible and targeted government action. Intelligence, policy and implementation will therefore have to be optimally coordinated.

## 2.2 Analysis

As indicated above, the threat from domestic autonomous jihadist networks has been low for some time now. The Dutch 'home-grown' jihadists focus primarily on people joining the jihad and on linking with transnational jihadist networks. Travel from and to jihad areas is a key indicator of the threat. The transnational jihadist networks, which partly operate in and from jihad areas, are the most important 'exogenous threat' against the Netherlands. Dutch interests abroad are also under threat.

Internet is an important link in jihadist communication. The Internet also plays a role in mobilising, recruiting, propaganda and agenda creation. jihadist propaganda has become more professional and is being aimed more and more clearly at a Western audience. For example, more and more jihadist content is being posted on the Internet in English. Another noticeable trend is that radical-Islamic movements are more and more frequently distancing themselves from jihadism and violence. Whereas, a number of years ago, radical movements and groups still tolerated or justified religiously motivated violence, they now speak out openly against it. More and more often, radicalisation towards violence is a process that is experienced individually or in small or diffuse groups (for example on Internet).

The national and international terrorist threat can be depicted diagrammatically as follows:



Four elements determine the terrorist threat against the Netherlands:

- jihad areas and transnational jihadist networks;
- jihadist web fora;
- jihadist discourse/propaganda
- jihadists in the West.

The strong mutual connection between the four elements is important. For example, the developments in the jihad areas and the activities of transnational networks have a major influence on the discourse (and the propaganda) on jihadist web fora and on the agenda of jihadists in the West. Conversely, travel by people joining the jihad from the West significantly determines the possibility that people from transnational networks in the West, whereby online propaganda and recruitment also play an important role, will actually commit attacks.

The picture this diagram portrays is dynamic: the threat is not in the least constant. For example, the threat in mid 2005 mainly came from the right-hand side of the diagram, from jihadist networks in the Netherlands and the West, inspired by the jihadist discourse, particularly on the Internet. The situation in 2011 shows a threat based on interaction between all parts of the diagram, with the emphasis on the exogenous threat. This is dealt with later on in this section.

This CT strategy is intended to break through the mutual connections in the above diagram, wherever possible, by:

- limiting the power to act of jihadist networks in jihad areas, detecting people travelling to the West, and counteracting interaction between transnational and Dutch networks;
- increasing the insight into the dynamism of the jihadist Internet, ensuring the early detection of target selections on jihadist websites, counteracting the distribution of jihadist propaganda and limiting the effect of the jihadist discourse;
- counteracting the inclusion of Dutch jihadists in transnational networks, ensuring early detection of Dutch people joining the jihad, and counteracting radicalisation in the Netherlands.

These measures are analysed in the following sections within a pillar structure which forms the foundation of the Dutch approach to terrorism. Section 3 analyses this pillar structure in more detail.

## 2.3 Developments in the threat against the Netherlands

The developments of the past few years show that the threat against the Netherlands has been anything but constant. Periods of relatively high threat were alternated with periods in which the Netherlands felt less threatened.

In mid 2005 the threat against the Netherlands came primarily from local, domestic networks. The chance of a terrorist attack was considered real at that moment. This domestic threat decreased in the subsequent years. This was the result of a lack of leadership and cohesion within the local Dutch terrorist networks, and specific government policy. It became clear that this tendency was continuing and would continue to exist for some time, while imaginable threats did not appear to be materialising. The result of this realisation was that once the domestic networks had been identified in March 2007, and – where necessary – action had been taken against the threat, the NCTb decided that the chance of a terrorist attack at that moment in time was considered to be relatively small.

From March 2008 onwards, a considerable threat was posed by networks abroad, particularly from the Afghanistan-Pakistan region. The Dutch military presence in Afghanistan heightened the risk, as did the hardening of the Islam debate in the Netherlands. The screening of the

Fitna film ensured that, for jihadists, the Netherlands would be viewed by jihadists as 'hostile to Islam' for quite some time. In jihadist circles our country was regarded as a preferred target. The probability of an attack gradually decreased under the influence of developments in the Afghanistan-Pakistan region, a stagnation in domestic radicalisation, and a growing resistance to violence within the Dutch Muslim community.

At the start of 2011 there were no indications that the Netherlands was a specific target of international jihadists. By contrast, the chance of an attack on Dutch interests abroad did not decrease proportionally to the domestic development. Our country is still regarded as a legitimate target in jihadist circles, primarily due to the Dutch presence in Afghanistan and the statements - regarded as insulting - made in the Netherlands against the prophet and Islam. Incidentally, the relatively low threat assessment in the Netherlands does not apply to the neighbouring countries. There, the arrests of terrorist suspects, evidence of travel to jihadist conflict areas and numerous threatening films all contributed to a picture that was less reassuring.

The developments described above cannot be seen in isolation from the Dutch CT policy as has developed in recent years, with the goal being the identification of processes of radicalisation in an early stage. A strong foundation was also laid for an effective counterstrategy, in the form of legislation, structures, partnerships and methods.

Despite the positive developments, account still has to be taken of an attack taking place at any time in the Netherlands or against Dutch interests abroad. The development in the field of undesirable travel underlines the need to continue engaging in sound international cooperation and also the need to maintain the provision of information at national level. In addition, the Netherlands is of course vulnerable as a storage and transit 'mainport', therefore making it a possible target for socially-disruptive attacks.

It is also important, however, to put things into perspective. Both the threat assessments and the increased attention paid by experts to the issue of terrorism can contribute to the so-called 'reproduction of threat'. Anything that receives attention, grows. This can result in an overreaction, tunnel vision or even 'self-fulfilling prophecies'. The phenomenon can have a variety of causes. This necessitates continuous critical scrutiny by everyone involved in counterterrorism.

Lastly, account needs to be taken of two social trends which have recently become apparent and which are expected to continue in the coming years. Firstly, Dutch society is becoming more polarised. The political and social debate is a fierce one, whereby nuances are sometimes given insufficient attention. From the point of view of terrorism, this development is relevant because growing polarisation can lead – among some groups of people – to an increasing feeling of rejection or of being affronted, which in turn can create a breeding ground for radicalisation. Everyone agrees that radicalisation is a first step on the way to terrorism. From the CT point of view it is, therefore, important to limit any social gap as much as possible. A second social trend is related to this and concerns the emergence of extremist groups which are not motivated by religion. In the Netherlands (and in Europe) there is a growing number of increasingly explicit extremist groups which are not motivated by religion. These are mainly extreme right wing groups, extreme left wing groups, animal rights extremists and anti-globalist or alter globalist groups. What these groups have in common is that, although they have behaved up to now explicitly, intolerantly and sometimes even violently, they have not committed any terrorist acts – according to the applicable definition. However, it cannot be ruled out that this will be the case in the future. After all, there is a fine line between occasional acts of violence and terrorism. From the point of view of counterterrorism it is important to continue monitoring these groups and the underlying ideologies.

## 2.4 International developments

There are many international developments which influence Dutch CT policy. The most important of these are the consequences of globalisation, the developments in various regions in the world and the threat against Dutch allies and partners. These developments are examined in more detail below.

### *Globalisation*

Globalisation comes in many shapes and sizes: positive when it leads to more intensive international trade and prosperity, negative when it leads to feelings of disruption and an increase in security risks. These latter risks are relevant to CT policy in various ways. Many developing countries have experienced enormous population increases in recent decades. The demographic structure of these countries differs greatly from that in the West. Due to inadequate or one-sided economic development, many countries have not, or barely, succeeded in creating opportunities for young people on the job market. Moreover, many of

these states have failed to maintain basic provisions such as medical care and housing, let alone improve these. Sometimes this was simply because the population growth exceeded the growth in prosperity, and sometimes because the increased prosperity only benefited a small section of the population. The economic, social and cultural rights in these countries are, therefore, by no means guaranteed. Currently around 40% of the population in developing countries is under the age of 15. In the West the figure is less than 20%. Lastly, the human rights situation in many parts of the world is inadequate. Improving this situation would, in the long term, have a major effect on the terrorist threat that many countries experience.

Although some of the young people in non-western (and primarily Arab) countries reject the Western political and economic model, recent (migration) figures show that a large number want to come and study and work in the West. This migration tendency can imply security risks. In the coming years, the Dutch government will pay extra attention to these security risks.

Another striking trend is the role of religion in society. Particularly in the last two decades, religious perception and expression at individual level has strengthened. This trend is visible at international level. The strengthening of the individual religious identity and the increase in visible religious expressions in the public domain are a few of the factors which can play a role in the polarisation of society. This polarisation can lead to radicalisation. The Dutch government takes account of this by emphasising the multiple identities of individuals, population groups and countries in its domestic and foreign policy.

The proliferation of (the knowledge of) weapons of mass destruction is a negative consequence of globalisation. Although there are significant obstacles that hinder terrorist organisations from acquiring or developing these weapons, the risk of such weapons being used should not be underestimated. Various states supply conventional weapons to non-state actors and groups that are on the lists of terrorist organisations. It cannot be ruled out that non-conventional weapons, or the knowledge of how to make them, will also be supplied to terrorist groups. Technological developments offer both opportunities and threats in this context.

Globalisation also increases the possibilities for terrorists to operate internationally. Not only has travel become simpler, quicker and cheaper, cross-border cooperation between (networks of) terrorists has

also become simpler. Examples are the use of the Internet and international money transfers for terrorist purposes. Countries all over the world have realised that only cooperative cross-border action can be effective. That is why they have developed instruments like the sanction lists, the exchange of banking details within the framework of SWIFT or the exchange of PNR details. It is important that this enables states to acquire and retain the action perspective in order to counteract threats which have a predominantly international character. Such instruments often generate an obligation to provide information, for both public and private parties. It is important that these obligations give the private and public sector an action perspective, for example to combat money laundering. However, international obligations in the field of human rights - particularly in the area of data protection and privacy – must also be observed. The Netherlands will therefore continue to work towards creating the right balance between fulfilling obligations to provide information on the one hand, and enforcing human rights standards on the other.

It should not be taken for granted that the development of state cooperation outlined above will continue in a structural manner. There are indications that some state actors (often not our primary partners) will, in the medium and long term, focus less on cooperation and more on competition. This is caused, for example, by the economic crisis, the increasing scarcity of raw materials or the climate change. There are also developments which point to increasing erosion of the power of the state, leading to fragile states or even states which have ceased functioning. A reduction in the mutual competition between states, assistance for fragile states and the structured rebuilding of 'failed states' can only be effective by means of a multilateral response at structural level. The same applies to terrorism by, in, or from within these states. The Netherlands is therefore focusing in this field on action in EU, UN and NATO contexts.

For some people, globalisation leads to an increasing feeling of alienation and isolation. The world is getting 'smaller', and that can lead to a feeling that existing certainties are lapsing. Everyone deals with this realisation in a different way. In some cases this can lead to such a feeling of isolation and threat that these people start forming a threat themselves. If this is linked to a fascination for violence, weapons and - virtual or otherwise - violent games, this alienation process can result in violence. An extreme ideology can provide such individuals with meaning, but can also help to lower the threshold to using violence. Violence perpetrated by so-called radicalised individuals is

becoming more and more common, both in the Netherlands and abroad. The Dutch government will take measures to identify and neutralise this type of threat in good time.

One development which has featured high on the global agenda in recent decades is climate change, and associated phenomena such as an imminent scarcity of energy and raw materials, and a lack of food, drinking water and clean air. This can have consequences for CT policy in the future. These developments can lead to further impoverishment and make certain groups susceptible to radicalisation. International tensions may also increase. Interstate and intrastate conflicts relating to raw materials, drinking water and sources of food are perfectly possible and are already occurring, in practice, in Africa and the Middle East. They can form an additional breeding ground for violent extremism. Moreover, anti-globalists have already used violence in the past to press home their message. It is conceivable that this violence will take on more serious forms if groups continue to radicalise.

#### *Threat against Dutch allies and partners*

The threat from al Qaeda is still focused on the larger EU countries, such as the United Kingdom, Germany, France and Italy. In 2008, it also announced a campaign aimed at Denmark and the Netherlands due to alleged insults of the prophet Mohammed. The participation in the ISAF operation, in the form of a training mission for Afghan police officers, may also constitute a motive. The close political, military, economic and trade relations mean that the cooperation with overseas allies and partners requires permanent attention. The Dutch CT policy must take account of the fact that the Netherlands is part of more and more intensive and complex forms of collaboration, whereby a threat against a Dutch partner or ally can have clear consequences for Dutch national security. In addition, it is known fact that the Dutch CT policy is largely determined by international bodies like the EU or the UN. Along with other Member States of these multilateral organisations, the Netherlands is increasingly pursuing a policy that is determined at international level. A threat against one or more of our international partners will therefore also have consequences for Dutch CT measures.

Lastly, the activities of non-jihadist international terrorist groups are also important. They are also an important element of the international threat. Examples are activities such as recruitment and fundraising<sup>8</sup>. Although these organisations do not directly constitute a threat for

<sup>8</sup> For example by organisations like LTTE, ETA, IRA and PKK.



Dutch national security and Dutch interests abroad, they do threaten the national security of key foreign partners.

### *Regions*

Terrorism is a worldwide phenomenon. That does not mean, however, that all expressions of terrorism are equally relevant or threatening for the Netherlands. Clearly, the situation in some regions of countries may be more important for the Netherlands than in others. These regions or countries are selected on the basis of four criteria. These criteria are:

- the Dutch interests and presence in certain countries;
- the threat assessment in certain countries and the possible fallout for the Netherlands;
- the migration and the movement of people between the Netherlands and other countries;
- the knowledge and experience present in these regions/countries in the area of processes of radicalisation and terrorism.

Developments in the following regions are of particular importance for the Netherlands.

#### *1. Southern Asia: Afghanistan and Pakistan*

Large parts of Afghanistan and the border area between Afghanistan and Pakistan have influenced the worldwide terrorist threat for many years. The jihadist groups that operate in these areas constitute a continual threat for the Western world and therefore for the Netherlands. In the recent past the Netherlands was referred to as a target by core al-Qaeda that operates from the Afghan-Pakistani border area. It is quite probable that the security situation in the two countries will improve so much in the short term that the Afghan and Pakistani government will be able to exert their authority effectively over key areas of their territory where this is currently not the case. The expectation is that as long as the International Security Assistance Force (ISAF) continues to be active in Afghanistan, the West and the countries participating in ISAF will continue to attract the attention of jihadists.

#### *2. Horn of Africa and Arabian Peninsula: Somalia, Kenya, Yemen*

Since 1991 there has been no effective government in Somalia. Violence between warlords and clans has led to social disruption and that has made the country increasingly vulnerable in recent years as a focal area and conflict area for jihadist groups. These days the originally nationalist Somali group Al Shabaab is regarded as the southern jihadist front for al-Qaeda. This movement focuses

primarily on Somalia but an expansion of its activities to neighbouring countries, in particular Kenya, is not inconceivable. This depends partly on whether the political and administrative developments in Kenya. In July 2010 Kampala (Uganda) was hit by an Al Shabaab attack. The result was 74 dead and 70 injured. As regards Yemen, the authority of the state has become increasingly under pressure for a complexity of causes. Semi-permanent violence as a consequence of weak government, tribal disputes and separatist movements have created an environment in which movements affiliated to al Qaeda can flourish. One example is al Qaeda on the Arabian Peninsula (AQAS). AQAS emerged at the beginning of 2009 after the joining forces of jihadist networks in Yemen and Saudi Arabia. It has benefited from the lack of an effective central government in Yemen. AQAS focuses mainly on fighting against the regimes in Yemen and Saudi Arabia. The group's propaganda also contains threats directed at Western countries and the US in particular. The failed attack on 25 December 2009 on the flight from Schiphol to Detroit and the sending of two parcels containing explosives in cargo planes to Chicago in October 2010 are proof that these threats are real.

In various Western countries, and elsewhere, it has now become apparent that support networks have formed which are, for example, involved in recruiting jihadists for training and combat in Somalia and Yemen. Account needs to be taken of the possibility of attacks in the neighbouring countries or in the West by individuals who have been trained by jihadist groups in Yemen or Somalia. This is also going to be a real threat for the Netherlands in the years ahead, for example because of young Dutch people returning from a training camp or jihadist conflict area.

Lastly it is possible to establish a link between piracy and terrorist activities in the region. It is not inconceivable that extremist groups partly finance their armed struggle and terrorist activities by means of piracy. Preventing and combating piracy is an important priority for the Netherlands and other countries in the international community.

### 3. *Maghreb and Sahel*

Algeria, Morocco and Tunisia have (had) problems with jihadist terrorist violence on a regular basis. In these countries a structured approach has led to a reduction in terrorist violence. However, an additional consequence is that jihadist groups, such as al Qaeda in

the Islamic Maghreb (AQIM), are starting to focus more on countries in the Sahel, with Mauritania and Mali as the most affected countries and possibly Niger and Nigeria as well in the future. It seems that in these countries terrorism and crime, such as the smuggling of weapons and people, are becoming increasingly interlinked. Westerners are also kidnapped either for a ransom or in order to make political demands. Given the close Dutch relations with these countries, these developments are worrying. Dutch citizens may become the victims of attacks. A final relevant detail is the existence of transnational networks between the Maghreb and migrants from this region in the Netherlands. It goes without saying that this offers opportunities (such as the exchange of people, ideas and goods), although it is also important to monitor the possible related threats.

#### 4. *Turkey and Indonesia*

In addition to attention being paid to developments in the above-mentioned regions, there is a special focus on the developments in Turkey and Indonesia. Both countries have plenty of experience with domestic processes of radicalisation and terrorist threats.

Supplementary to the historical ties which the Netherlands maintains with both countries, these experiences can be of considerable added value for Dutch CT policy. Moreover, both countries can be regarded as the source of a potential threat for local Dutch interests. For example, a number of Dutch people were among the victims of an attack on a hotel in Jakarta in July 2009.

During the emergence of this strategy the Middle East was in a period of major turbulence, whose outcome were largely unpredictable. The Dutch government has been working since the start on monitoring the relevance of these developments in the Middle East from a CT perspective. Depending on further developments in this region, the instruments described in this strategy will be used (specifically) in certain countries or regions.

# 3

## Points of departure and priority themes

### 3.1 The ‘comprehensive approach’

#### Preventive and repressive policy

No-one is born a terrorist. Before someone decides to place his own life and that of others in the balance by using violence to pursue a political or religious goal, he/she undergoes a process of radicalisation. This insight is at the basis of the so-called ‘comprehensive approach’ of Dutch counterterrorism policy.<sup>9</sup> The aim is also to focus on the early identification of processes of radicalisation among groups and individuals, so that specific intervention strategies can be used to prevent the people in question from committing acts of terrorist violence. Different responses of a more repressive nature are required for those who have already decided to commit to violence or who are on the point of doing so. The fact that terrorist groups stimulate and use processes of radicalisation to attract new members and that government actions against terrorists can, in turn, also influence radicalisation, shows that a strong content-based cohesion exists between both domains of counterterrorism policy. A cohesive approach is therefore required.

For more than ten years now, the comprehensive approach has served as a guideline for Dutch counterterrorism policy and has also gathered an international following (particularly in the United Kingdom, Germany, European Union and the United States<sup>10</sup>). In an international context, there is more and more acknowledgement of the fact that a strong link exists between early prevention and the decrease in the terrorist threat in the long term. In the coming years the comprehensive approach is to be continued in the Netherlands.

The comprehensive Dutch approach has considerable similarities with the vision of counterterrorism as laid down in the UN strategy against terrorism (2006) and the EU strategy against terrorism (2005). Efforts are being made within Europe to counteract radicalisation and recruitment, with the aim being to contain the two phenomena at the earliest possible stage. In this context the Netherlands is acting as one of the countries which takes the lead as regards the development and exchange of scientific knowledge and practical experience when combating radicalisation and recruitment.

<sup>9</sup> The basis for the comprehensive approach in Dutch counterterrorism policy was already laid at the end of the previous millennium by the AIVD (known at the time as the National Security Service [Binnenlandse Veiligheidsdienst], BVD).

<sup>10</sup> *Rewriting the Narrative. An Integrated Strategy for Counterradicalization*. The Washington Institute for Near East Policy. Task Force on confronting the Ideology of radical Extremism. March 2009.

### Five pillars

The strategic development of the comprehensive approach in the Netherlands is based on five pillars. These five pillars jointly cover the entire chain of counterterrorism, from the procurement of intelligence to the prosecution of the perpetrators of terrorist attacks.

1. Procure: The gathering of information/intelligence and the compiling of threat analyses.
2. Prevent: Early intervention to prevent people acquiring terrorist ideas or engaging in terrorist crimes.
3. Protect: The defence of Dutch society against concrete terrorist threats.
4. Prepare: Being optimally prepared for the consequences of a possible attack.
5. Prosecute: The detection, prosecution and sentencing of people who are suspected of committing terrorist crimes, or of preparing them.

These five pillars jointly make up the comprehensive approach. Effective counterterrorism is only possible if radicalisation processes are identified as early as possible, action is taken within the law as soon as possible, society is optimally protected, measures are taken to limit the consequences of a possible attack, and terrorists are tracked down, prosecuted and convicted. This safeguards an integral approach to terrorism, and links the repressive and the preventive side of the approach. Sections 4 to 8 deal with each of the 5 pillars in turn and assess what relevant policy action needs to be taken for each theme (if applicable) in the coming years. The result is a cohesive approach of policy initiatives.

The Dutch counterterrorism strategy is based on the idea that prevention is better than a cure and that intervention at the earliest possible stage offers the greatest chance of success. This means that the efforts of the Dutch government will focus on early intervention on the basis of intelligence and on counteracting (the process of) radicalisation. Within the pillars in this strategy the focus is therefore on preventing terrorism. The assumption is that less effort is required within the other pillars as the preventive measures become more successful.

As mentioned above, the comprehensive approach is not solely limited to violent extremism of an Islamic nature. Other forms of extremism, for example extreme right wing extremism and animal rights extremism, are monitored as well. This underlines the fact that the comprehensive approach relates not only to radical Islam, but also focuses on other ideologies that imply risks of continued radicalisation in the direction of violent extremism or eventually terrorism.<sup>11</sup>

Despite the government's efforts to limit the risk of attacks as much as possible, these can never be prevented with 100% certainty. What is more, counterterrorism and the prevention of attacks can be balanced against other interests. For example, the Dutch government's protection of people and objects is based on the principle of maximising protection, in combination with a minimal effect on human rights, including privacy within the frameworks of the democratic constitutional state.

### **International, national and local links**

The comprehensive approach is an element of the National Terrorist Threat Assessment [Dreigingsbeeld Terrorisme Nederland] (DTN), that has been published every quarter since May 2005.<sup>12</sup> This threat assessment is created and determined on the basis of an assessment of recent developments with regard to radicalisation and terrorism in the Netherlands and abroad. In addition, the international, national and local level are linked with each other. This link also forms the basis for the policy measures resulting from the DTN. The NCTb directs cooperation between international, national and local partners, with policy measures being implemented within all five pillars of the comprehensive approach. In addition to an increasing link between the international, national and local levels, it soon became clear that growth can also be observed in the influence that foreign developments have on the Netherlands. The influence of foreign threat developments on the

<sup>11</sup> The applicability of the comprehensive approach to all radical movements also acquired form in the publicity campaign entitled 'The Netherlands against Terrorism' by the NCTb, whereby one of the ads also referred to animal rights extremism. In response to critical questions on the matter by the Party for the Animals [Partij voor de Dieren] the Ministers of Justice and of the Interior and Kingdom Relations of the time stated that this message must be seen in the light of the comprehensive approach of Dutch terrorism policy. TK 31 200 VI, no. 10: letter, dated 28 November 2007.

<sup>12</sup> See for the purpose and the way the DTN was created: P.H.A.M. Abels, Dreigingsbeeld Terrorisme Nederland. Nut en noodzaak van een 'all-source threat assessment' bij terrorismebestrijding, in: E.R. Muller, U. Rosenthal en R. de Wijk (red.), *Terrorisme. Studies over terrorisme en terrorismebestrijding* (Deventer 2008) pp. 535-544.

Dutch context but also the consequences of international decision-making (for example in EU, UN or NATO context) have noticeably increased in recent years. This is a cue for intensive international cooperation in the area of CT.

### 3.2 Human rights as a precondition

The Dutch government's view is that counterterrorism must always take place within the frameworks of the constitutional state and with respect for citizens' fundamental freedoms.

Life in a constitutional state obliges the government to respect and protect citizens' fundamental freedoms. It is precisely for that reason, for example in connection with the threats we face, that it is necessary to seek a constant balance between freedoms and security. The aim is to ensure respect for our fundamental freedoms. Security and freedom do not have to be opposites. Rather, the point of departure is: freedom and security. It follows from this principle that you can only live in freedom in a society if the government ensures that its citizens are safe.

Respect for human rights as a central precondition of CT policy means that, in the context of each CT policy measure, the government explicitly takes account of the consequences of such measures for fundamental freedoms. There has to be a balance between respecting privacy and the importance of collecting data within the framework of combating terrorist crimes. This balance is essential in order to continue safeguarding the basis of support for CT measures in society. It goes without saying that data and information are extremely important for counterterrorism. A balance needs to be sought. The considerable threat that terrorist crimes represents means that this balance can be based on more than just combating less violent crimes.<sup>13</sup> A relevant observation in this context is that the European Convention on Human Rights and Fundamental Freedoms (ECHR) permits small violations of, in particular, Articles 5, 6 and 8 of the ECHR, provided compensatory safeguards are in place. Any violation of Article 3 of the ECHR must always be included in any decision making.

There are a number of aspects involved in respecting human rights.

In the first place, personal details and information are crucial for an effective counterterrorism policy. The collecting, registering, making

<sup>13</sup> Parliamentary documents II 2004/05, 30 164, no. 3, pp. 3, 8 and Parliamentary documents I 2006/07, 30 164, no. D, pp. 3-4.



available, exchanging and using of personal data also affects the privacy of the parties involved. Transparency and care are therefore key when dealing with these details. The government always tries to find the right balance between privacy protection on the one hand and the usefulness and necessity of data collection and exchange on the other. Therefore, the use of personal data as an operational instrument must always be properly weighed up.

In the second place, the promotion of respect for human rights in an international context can, in the long term, contribute positively to preventing violent extremism and (ultimately) terrorism. One of the factors which can contribute to the attraction and growth of extremist groups or terrorist organisations in many countries is, after all, the lack of a constitutional state or the government and its actions. The promotion of democracy and political freedom is regarded as a contribution to reducing the attraction of extremist movements. More political, social or religious freedoms can lead to a decreasing feeling of relative deprivation or discrimination, which eventually has an effect on the willingness to engage in terrorist violence. In order to combat terrorism effectively in the long term, the human rights situation in certain countries therefore needs to be improved.

In the third place it should be noted that current rapid social developments mean that privacy is a dynamic and relative phenomenon. A lot of privacy has been 'lost' due to the Internet and other technological developments. The consequence of this is not only that a lot of personal data has become available to the government, but also to the private sector and private individuals. The government is closely monitoring the vulnerabilities associated with this from a terrorist perspective, and is adapting policy accordingly.

### 3.3 Priority themes

Section 2 described a number of developments in the national and international terrorist threat. These developments have had a major influence on the policy measures implemented to date. They have also determined the strategic choices for the near and slightly more distant future. The point of departure of this strategy is that the national and international threat assessment determines the policy measures taken.

Two characteristic elements of the threat with which the Netherlands has been confronted in recent years are the increasing unpredictability and the growing changeability of the threat. It is becoming more and

more difficult to predict where the terrorist threat will come from. In addition, as soon as a threat is observed, it may quickly assume another form. As mentioned above, the threat may increasingly come from abroad. As a result, the international and the local dimensions have become increasingly interlinked. In other words, developments in the international threat context quite quickly have consequences for the domestic security situation. In combination with the developments in the threat described in Section 2, this leads to a content-based focus on a number of strategic themes that require explicit attention in the coming years. As indicated in the previous paragraph, the theme of human rights is a key precondition which every policy measure has to fulfil.

The strategic priorities for the period 2011-2015 are as follows:

1. Jihadist conflict areas
2. Jihadist discourse/propaganda
3. Migration and travel movements
4. Technology and innovation
5. Internet
6. CBRN/E
7. Radicalised individuals ('lone wolves')
8. Security awareness and performance

The following sections present the details of why these eight themes are a priority in the near future. These are choices made on the basis of content. The choices concern the variations within the thematic areas in the next five years. The changes compared to previous years are key. Section 9 (Strategic choices) details this movement for each strategic theme.

All strategic choices must take account of the increasingly strong national and international interrelatedness. The national and international threat are not isolated issues. In a world of increasing globalisation and ever-decreasing distances and a significant increase in the amount of travel, the Netherlands is benefiting, as an open economy and society, from the favourable consequences of these factors. However, the Netherlands is also vulnerable to the potential security risks associated with this interrelatedness. This vulnerability means that continuous attention needs to be paid to security aspects. The security of civil aviation plays a crucial role. Civil aviation as a target for a terrorist attack not only means the possibility of a large number of victims, but also has considerable symbolic value. The social and

economic consequences of a terrorist attack on a civil aviation flight are often huge. That is the reason why the Dutch government (continues to) take(s) the issue of security against this form of threat extremely seriously. In addition, the monitoring and security of people, objects and services require continuous attention. In these instances it also applies that attacks against certain types of target not only result in individual or material damage, but also represent considerable symbolic value. The eight priority themes, in addition to this continuous vigilance, are intended to guide CT policy in the coming years.

Below you will find a detailed assessment per theme of the increasing interrelatedness of the national and international dimensions and the implications thereof for the Netherlands. The focus is on moving away from a traditional, repressive approach to terrorism (which, as already mentioned, applies even more strongly in other countries than in the Netherlands) towards a more proactive approach to terrorism. In other words, in the context of each priority theme, early detection on the grounds of intelligence forms the basis for the implementation of protective measures or the prevention of terrorism in the long term.

#### 1. *Jihadist conflict areas*

The power to act and freedom of movement of jihadist networks and their interrelatedness with jihadists (and jihadist networks) in the West are crucial for the development of the terrorist threat. The developments in the past few years (recently in Iraq, Afghanistan, Pakistan and Somalia) show that a worsening of the security situation in certain areas can result in what is referred to as the 'jihadisation' of tensions in those areas. This leads to references to the conflict on jihadist fora and the inclusion of the conflict in the international jihadist 'narrative'. This in turn causes these areas to become attractive for radicalised Muslims in the West. The focus of the Dutch government is partly on preventing and neutralising these processes. This takes place, in part, by trying to influence the security situation in these areas. Afghanistan is an example of a combination of military and civil resources being used to try and improve the security situation. From the point of view of the Procure pillar, in this strategy the focus is mainly on gaining and maintaining an insight into these developments and the resulting risks. For the other pillars, particularly the Prevent pillar, the conclusion can, in any event, be drawn that there is a need for cohesion between foreign policy, defence, intelligence and national CT policy.

## 2. *Jihadist discourse/propaganda*

Terrorism consists to a large extent of propaganda. This means that, if one of the goals of terrorism is to instil fear in the population, this is largely achieved through the distribution of the terrorist (jihadist) 'narrative' and specific propaganda. This leads to a continuous feeling of threat which can be maintained by just a single attack or terrorist incident. Discourse/propaganda is also an important instrument which jihadists can use to mobilise and recruit supporters. Counteracting the distribution of propaganda and limiting its effectiveness is an important element of this CT strategy. This can be partly achieved by tackling extremist websites, although so-called counter narratives also play an important role. Section 5 (Prevent) examines this aspect in more detail.

## 3. *Migration and travel movements*

In a globalising and increasingly small world it is getting ever easier to travel physical distances. The Netherlands has traditionally been a migration country. There are good reasons for continuing to foster this tradition. One of these is the need to attract workers and highly-educated talented employees from abroad to stimulate economic growth. At the same time it continues to be important to keep an eye on the security aspects associated with migration. Recent examples in the Netherlands and abroad have shown that certain forms of migration are open to abuse. For example, potential terrorists might be able to enter the Netherlands under the pretext of studies or labour migration, and labour migrants or asylum seekers may pose security risks. In addition, undesirable travel may take place in the opposite direction, that is from the Netherlands to regions or locations abroad. Examples are travel movements by Dutch citizens to war-torn areas or training camps. The latter form of travel generates both a higher international and national threat because it involves an individual who intends to participate in a local armed struggle and who will then pose a potential threat to national security upon his return to the Netherlands. After all, he will then have been trained to commit attacks on Dutch soil, or will have such a reputation in his own circle that he will have a radicalising effect. In order for these forms of threat to be counteracted it is important to continue focusing in the coming years on early detection (in particular on local detection capacity), security awareness among all chain partners in the migration process, and the structural exchange of information in the Netherlands and abroad. It is also important to pay specific attention to national security during the visa process, and to regard border surveillance as information interchange (after

all this is where passenger details and travel details converge). Lastly, security aspects have to be taken sufficiently into account when drawing up new legislation, and cooperation needs to take place with foreign partners as regards intelligence. The point of departure is and continues to be that any extra security measures must be proportional. The economic competitive position, the image of the Netherlands as a safe haven for political refugees and the privacy of the parties involved must be preserved as much as possible.

#### 4. *Technology and innovation*

Technology plays an important role in acquiring information, preventing attacks, defending against a terrorist attack, being prepared for the consequences of an attack and prosecuting the perpetrators. On the other hand, technology can also be a threat if terrorists use technology as a weapon. A good example is the Internet, which can be used to disrupt company systems. Technology developments take place quickly and result in numerous new technologies. This does not just mean information and communication technology but also, for example, biotechnology, nanotechnology, material technology and neuro technology. Besides these basic technologies, combinations of technologies are also possible, referred to as system concepts. A good example of these are biometric identification systems and detection systems for chemical, biological, radiological, nuclear resources and home-made explosives (CBRN/E).

In order not to miss any counterterrorism opportunities and to be able to respond properly to possible threats, it is very important to identify new technological developments on time, to place them on the agenda and to use them. Suitable measures must also be taken in the event of a threat. Policymakers must be properly informed about the supply side of technology, for example in the form of periodical technology studies. International cooperation at policy level and in the field of science is also crucially important.

In the field of counterterrorism, and of security in a broader sense, it is important to focus specific attention on the connection between data and security. This also means increasing the efficiency and effectiveness of the data collection, exchange and processing, with explicit attention for privacy and other legal aspects. Many of the parties active in this field have shared demands and needs regarding data and security. For them, a specific focus and cooperation is important.

## 5. Internet

The Internet is an important terrorist resource. Terrorist organisations use it to make propaganda for their ideology and activities. Terrorists also use the Internet for recruitment, fundraising, information gathering and distribution, and for instructions and as a mutual means of communication. The Internet can also affect processes of radicalisation. Using the Internet, a potential terrorist can go through the processes of ideology formation, ideology reinforcement and ideological indoctrination. Such developments have to be properly monitored. In addition it is important to use public-private cooperation (PPC) to stimulate the Internet sector to itself take measures to counteract the distribution of illegal information via the Internet. A good example is the 'Notice-and-Take-Down' code of conduct which was set up in cooperation with the private sector.

Besides using the Internet for above-mentioned purposes, there is also a risk that, in the future, terrorists will use the Internet to carry out attacks on physical targets. Examples are the hacking of control systems of vital installations in the chemical sector or the electricity supply. These are examples of the Internet being used as a weapon. A high level of expertise is required to carry out a successful cyber attack. Although it seems as if terrorist organisations do not currently have such a high level of knowledge, this may change in the future. After all, technical knowledge and expertise can spread very quickly. What is more, a so-called radicalised loner with the right knowledge and experience will be able to carry out a successful cyber attack. The importance of ensuring that crucial objects are resistant to cyber attacks must be acknowledged and, where possible, strengthened.

The National Cyber Security Strategy (NCSS), which was submitted to the Dutch House of Representatives in February 2011<sup>14</sup>, is an important resource in this respect. The Dutch government wants this strategy to lead to more effective cooperation with other parties on security and reliability of an open and free digital society. Among other things the strategy provides for the setting up of a Cyber Security Council in which all the relevant parties at strategic level can make agreements on the elaboration and implementation of the strategy. A National Cyber Security Centre is also to be set up to bring together expertise on threats and incidents and how to deal with them.

<sup>14</sup> Annex to Parliamentary Document 26643 no. 174.

Attention also needs to be paid to Internet developments for the proper surveillance and protection of people and objects. A lot of threats are, for example, expressed via Internet. However, new Internet applications can also be used to increase the visibility – and with that the vulnerability – of people and objects. Google Earth and Streetview, social networking sites and smartphones with gps facility can show a person's location (and what he is doing there) quite accurately. The increasing interactivity and omnipresence of Internet reinforces this dynamism. Security concepts will have to take account of all these aspects. In the meantime it continues to be important to continue monitoring new Internet developments properly and to assess them for possible security risks, in order to take the necessary steps to deal with them in good time.

Lastly, although a threat can be a consequence of Internet use by terrorists, it is also the case that Internet can play a useful role in counterterrorism. After all it constitutes a powerful source of information for staying up-to-date on the activities and intentions of terrorist groups.

#### 6. CBRN/E

Although the probability of an attack using (home-made) explosives (E) is currently many times greater than an attack with chemical, biological, radiological or nuclear (CBRN) means, a coordinated effort against both types of threat is essential. Efforts against CBRN resources continues to be a strategic priority for the coming five years, particularly in view of the potentially socially-disruptive effect of a CBRN attack. Besides the strongly disruptive character of such an attack, it is probable that the number of victims will be considerable. Although recent analyses in the Netherlands and abroad show that the probability of such an attack is small in the short term, the rapid technological developments and the fact that information is more and more readily available are leading people to conclude that there is a real possibility that CBRN resources will be used for terrorist goals in the future. The favourable international position of the Netherlands as trading nation with the key airport of Schiphol and port of Rotterdam is also a risk in this respect. What is more, the increasing importance of the knowledge economy in the Netherlands implies possible risks: the influx of highly-educated talent from abroad may increase the chance that the knowledge and skills required to carry out an advanced CBRN attack may enter our country. The reverse also applies, namely that high-grade knowledge acquired in the Netherlands will be brought back to the countries of

origin, which will increase the chance of undesirable regimes or groups obtaining the knowledge required to produce CBRN or weapons of mass destruction. This makes CBRN a theme of considerable national and international importance, with a solid political dimension at international level.

Almost all terrorist attacks carried out to date involved the use of home-made explosives. It is and remains possible to prepare and carry out attacks using resources which are relatively simple to obtain. At the moment it is impossible to prevent attacks with home-made explosives completely. In addition, the *modi operandi* are continually being refined in order to circumvent security measures. Terrorists have demonstrated that they have the capacity to learn and adapt in order to bypass existing anti-terrorism measures. It is therefore essential to retain a head start, ahead of subversives, with regard to knowledge in the 'arms race' between anti-terrorism measures and new *modi operandi*. This requires constant attention to be paid to developments in the field of attack methods and techniques, new *modi operandi* and possible counter-measures. Civil aviation is a well-known example of a sector confronted by such changing threats and risks. However, other sectors (such as the other warning locations) also need to focus on this type of threat in the coming years.

7. *Radicalised individuals ('lone wolves')*

One form of terrorist threat which will require more and more attention is what is referred to as radicalised individuals, referred to in other countries as 'lone wolves'. In recent years a trend has become noticeable of (attempted) attacks by individuals, inspired by past examples or otherwise, or by ideologists active on the Internet. It is not always clear beforehand - and sometimes afterwards as well - whether the attacker is acting or acted on the basis of ideological motives, or whether the person is confused or has other motives.

Radicalised individuals are people who threaten others from the standpoint of a clear political or religious motivation. In general there is little hesitation in labelling the acts of violence perpetrated by this group as terrorist acts. The same does not apply to people referred to as confused or fixated, who have no clear ideological motivation for their deeds. Radicalised individuals and fixated persons together make up the category of 'menacing loners'. In the Netherlands the usual definition of menacing loners reads: 'people who (without any cooperation from others) constitute a threat



through deed or word, as a consequence of an individually completed process towards violence’.

From the perspective of CT policy it is often impossible and also usually undesirable to make a distinction in advance between radicalised individuals and confused or fixated people. Often it is important to filter the confused people out of this group where possible, and to neutralise the (potential) danger they represent as much as possible. Of course this is not done within the counterterrorism framework but, where possible, using a process of specific assistance.

In the case of radicalising individuals, early detection is essential, but also very difficult. It requires the identification of specific risk areas and the development of special detection methods, without the use of any large-scale resources which have a detrimental effect on privacy. Explicit account also has to be taken of non-traditional political or religious motives. For example, a current phenomenon like ‘hatred of the system’ could be the reason for radicalised individuals to carry out violent attacks on symbols of this society. In the coming period investments will have to be made in increasing knowledge and insight into such phenomena.

#### 8. *Security awareness and performance*

Given the fact that terrorism policy in the Netherlands and abroad is mainly in the form of legislation, measures and policy instruments, human vigilance and alertness are becoming more and more important. There is a general realisation that alert employees in the various sectors are essential for a timely identification of (the preparations of) possible terrorist activities so that they can be nipped in the bud. That is why increasing security awareness among professionals is of major importance. The focus is then on human performance. This relates not only to the responsible security professionals, but also to the management and the ‘average’ professional in the workplace. It is precisely these people who are often the first to identify deviant behaviour or a different situation in their own work environment. This can help prevent not only terrorism, but also other types of crime which can have an adverse effect on security or damage to company continuity. Relevant questions include: How do you recognise different behaviour, how do you make ‘security awareness and performance’ an integral part of company operations, how do you make sure that risk management is an accepted and integral method of working in the context

of security issues, and how can you anchor ‘security awareness and performance’ more effectively in science and education? Answers to these questions will lead to a greater degree of security awareness among professionals in the public and private sectors.

### **Overview of the document**

Sections 4 to 8 explain how the strategy operates on the basis of the pillar structure. A separate section is devoted to each of the 5 pillars, and each section contains a clarification of what CT work is logically being carried out, who has primary responsibility and what the priorities are. The 8 priority themes also feature in Section 9, which presents the strategic commitments for the coming years.



# 4

## Procure

## 4.1 Introduction

Counterterrorism is dependent to a large extent on thorough prognoses. This means intelligence and information have to be obtained. It is essential that the nature, direction and seriousness of the threat are assessed on time so that measures can be taken. What is more, work generally has to be carried out using small snippets of information. Those engaged in counterterrorism have to interpret this information using the knowledge they have acquired over the years on terrorists, their modus operandi, choice of target, rationalities and objectives. Data from past experiences or parallel developments can also be useful. These form the basis for analyses (or conceivability reasoning), which guide investigations into those who perpetrate attacks, and their helpers. They also form the basis for determining the place and nature of resistance-increasing measures (security), to reduce the risks. The more concrete information there is that is available about the threat, the more the predictability increases, and with that the possibility for specific intervention. In practice, however, counterterrorism will always have to rely heavily on professionals' ability to make prognoses.

The procurement of intelligence and information provide the basis for CT policy. There is a growing realisation that the rapid availability of objective and reliable intelligence is essential for an effective counterterrorism policy. This serves as a foundation for all possible CT measures or initiatives in the Netherlands and abroad. In its domestic and foreign CT policy, the Dutch government emphasises the prevention of radicalisation and ultimately terrorism. The outlined developments in the threat have caused the focus of this policy to be increasingly shifted to the foreign arena. This has consequences for the priorities and future work of the Dutch intelligence and security services. In the future these will focus more on improved information and intelligence from abroad. One of the methods applied is the strategy of 'forward defence'. The essence of 'forward defence' is that the Dutch government has to be able to have access to good intelligence on threats which develop abroad and which may manifest themselves in the Netherlands as a threat or be directed against Dutch interests abroad. This intelligence can be obtained abroad, but can also come about through effective cooperation with foreign intelligence and security services. An issue such as 'travel intelligence' also falls under the 'forward defence' strategy. A potential threat from abroad can be counteracted through the detection of suspicious travel movements. Clearly such initiatives can only succeed on the basis of proper cooperation with foreign partners. It also goes without saying that intelligence received from foreign partners with a different attitude towards the safeguarding of

fundamental human rights than that of the Dutch government must be handled with extreme care.

The procurement of information will also have to be shared as much as possible. In addition to the 'need to know', the point of departure is explicit: a 'need to share'. After all, the consistent and effective sharing of information increases the quality of the information received. However, this does require a careful consideration on a case by case basis.

## 4.2 Threat assessments

Terrorism does not exist in isolation but always manifests itself in a broader geopolitical and social context. This context is continuously changing, and has to be followed closely by those engaged in counter-terrorism so that new threats can be identified on time. The context also offers foundations for counterstrategies. This offers an insight into possibilities for tackling the breeding grounds for terrorism, strengthening resilience against radicalisation, or exposing inconsistencies in the reasoning of terrorist organisations.

In the Netherlands, the content and focus of CT policy is based on the National Terrorist Threat Assessment [Dreigingsbeeld Terrorisme Nederland] (DTN). The DTN is published periodically and provides an integral picture of the domestic and international threat against the Netherlands and Dutch interests abroad. The input for the DTN comes from a variety of sources, such as domestic and foreign intelligence and security services, the police, the Ministry of Foreign Affairs (including the embassies) and open sources. The end result forms the basis for future policy decisions and strategic choices. The advantage of this integral method is that all the partners involved in CT also play a role in the drawing up of new policy, or the implementation of the current policy at strategic level. A comparable approach would be desirable in Europe.

## 4.3 The importance of intelligence

With regard to the ability to draw up thorough threat analyses and carry out specific interventions (or have these carried out), Dutch CT policy is heavily dependent on information supplied by the intelligence and security services. These services have special powers which, in extreme cases, can seriously encroach on people's privacy. In order to prevent terrorist attacks, the intelligence and security services can use resources

such as wire-tapping, tailing, observation and infiltration, subject to the condition that the required information cannot be acquired in other, less drastic, ways. In the recent past, these powers have already helped to nip terrorist activities in the bud on a number of occasions.

However, the requirements of proportionality and subsidiarity force the services to use special intelligence resources in a carefully considered and limited manner. This implies that they also have to make optimal use of relevant information which becomes available from open sources ('open source intelligence', OSINT). In today's information age, the intelligence and security services are also having to deal with complex issues, dilemmas and challenges. The enormous quantity of data, the wide availability of information and the rapid succession of technical innovations (for example in the field of data carriers, interactive Internet applications and information accessibility), is continually forcing the services to develop new search strategies and organisation facilities, and establish relationships between the available information. These days there are a lot more market parties and scientists active in this field that can provide high-quality information which can also be used for CT policy. This development is forcing the intelligence and security services to interact with a much more dynamic and expert environment than used to be the case. Their conclusions are not so readily accepted by those responsible for policy and government, and these days more questions are asked. This imposes significant demands on the analytical competencies within the services and their willingness to share and discuss conclusions with other parties.

In the case of measures against individuals, the CT Information Box plays an important role. The CT Information Box is an essential link in the cooperation between the services involved in counterterrorism. It is in this information box that the information converges from all the bodies that collaborate on terrorism and the related problem of radicalisation. It enables a well-considered comparison to be made between the various options for taking action against a (potential) terrorist. The continued optimisation of the CT Information Box's functioning is a priority for the coming years. An assessment will also have to be made of, for example, the additional accessibility of the information systems of the parties concerned, to enable simpler searching and more rapid analyses.

## 4.4 Challenges in the field of intelligence gathering

For the past ten years or so, the danger posed by terrorism has not so much come from the classic terrorist organisations, but often from diffuse networks. From the point of view of intelligence, these networks, with their loosely organised structure, fluid nature and self-controlling capacity, are becoming more and more of a challenge. The fact that the modus operandi of these networks is fundamentally different means that those engaged in combating such networks need to be increasingly flexible and have a greater capacity for prediction. What is more, it is especially difficult to build up a strong and sustainable information position with regard to such networks. These networks usually have few members and their security awareness is high. The high demands made on the members as regards experience, knowledge of the teachings and willingness to make sacrifices, make it particularly difficult for agents to penetrate the core of such networks.

One alternative is to rely on the interception of communication (signals intelligence, SIGINT). However, this is by no means always possible, given the fact that the use of means of communication is often limited in the more professional networks. The building up and maintaining of a good information position in or around such networks therefore demands a considerable degree of creativity and perseverance. This process is made additionally complex by the fact that the enemy often thinks that time (sometimes even eternity) is on their side. It is therefore very important that the standard government work processes, along with predetermined end results and turnaround times, are coordinated as much as possible with this (parallel) reality.

In this context, therefore, counterterrorism not only imposes huge demands on information analysis, but also on information procurement. This applies both to those who devise and direct operations (intelligence officers), and to those who carry out the operations (agents and informers). A thorough knowledge of foreign languages and cultures is essential, as is empathy with the motives of people who act on the basis of a radical interpretation of a belief or ideology. The same requirements also apply to people who process telephone calls, Internet communication or other forms of SIGINT. At the slightly higher aggregation level of phenomenon analysis, the analysts of the intelligence and security services have to stay continuously up-to-date on the theological or ideological discussions in the radical segment of Islam or a political movement. They also have to include the geopolitical context



of, for example, the Middle East conflict or the disputes in the Afghanistan, India and Pakistan region in their assessments, given the fact that these mega factors can also affect, for example, the motivation and choice of target of terrorist networks in the Netherlands.

It is precisely in such conflict regions that the procurement of information from abroad plays an important role. The Netherlands intends to play an active role in the combating of international terrorism. The resulting military presence in foreign conflict areas (for example in Iraq and Afghanistan), requires a solid information position. The primary goal as regards acquiring information abroad is to support the functioning and the security of the Dutch military abroad and their allies. Work in terrorism source countries helps to reduce the dangers of attacks against Dutch interests abroad. Sometimes operations can also be carried out against people or groups involved in facilitating terrorist cells in Western Europe. In that case, the activities of the domestic and foreign intelligence and security services overlap, and proper harmonisation is an absolute must. SIGINT activities are then also important. The intercepted information that this type of activity generates is essential for the compilation of geopolitical and trend-based analyses and should therefore be shared on time and in full among the cooperating partners.

## 4.5 The value of network analyses

The operational use of security services in the area of CT is often focused strongly on the actions of individuals and small groups of terrorists. The interaction between these 'targets' is also important. That is why the services focus their attention, during their investigations, on identifying such networks. Generally speaking, networks like the Hofstad Group, which was unmasked in 2004, comprise structurally observed relationship patterns and contacts. The members of such a network that are identified by the services are sometimes not even aware themselves that they are regarded as part of a particular network. The name of such a network is often thought up by the services themselves. In order to make operational communication on the issue easier, a name is usually chosen which has little or nothing to do with the group in question.

Above all, network analysis is a method for acquiring an insight into collaboration patterns, power relationships and divisions of tasks within a target group. As far as services are concerned, it is also very important to focus on the environment around such a group. A distinction is also made between the surrounding society, sympathisers,

supporters and terrorists. If those engaged in counterterrorism are aware of relevant developments in society, if they know what the role is of sympathisers (in a stimulating or correcting sense) and if they know what the activities of actual supporters are, a better estimate can be made of the motivation and power to act of potential terrorists. It is then also possible to assess their basis for support and their recruitment capacity, so that any new people at risk – who are progressing or shifting one level closer to the centre with respect to the circles around the core – can be monitored and identified at an earlier moment.

Important resources, when it comes to drawing up target and network analyses, are the efforts made by the security services to gain an insight into travel movements and terrorism financing. Research into travel by terrorists has turned out to be hugely important. The much improved international cooperation between security services has led worldwide to the discovery, disruption or dismantlement of many jihadist networks. Local detection capacity is also of crucial importance for the monitoring and prevention of such travel. After all, any changes in behaviour or the absence of certain people is first noticed at local level. With regard to the combating of terrorism financing, the intelligence community tended to think, for a long time, that the exposing and draining of terrorist cash flows would be a key way to bring a halt to their activities. The idea was that, in a figurative sense, terrorists would be unable to breathe if their cash flows were cut off. In practice, however, it has transpired that (jihadist) networks only need relatively small amounts of money to carry out attacks. Financial investigations have proven useful mainly at later stages because the traces left by money transactions provided investigators with an insight into terrorists' lifestyles, contacts or *modi operandi*.

## 4.6 Detection of 'loners'

Network analyses are, by definition, inadequate when it comes to the timely detection of radicalised individuals who want to carry out a terrorist attack on their own initiative. It is extremely difficult to identify the intentions of such individuals on time.<sup>15</sup> However, it is only logical

<sup>15</sup> 'We recognize that detection and interdiction of 'lone wolf' terrorists is one of the most difficult challenges facing our law enforcement and intelligence agencies'. Quote from: A ticking time bomb. Counterterrorism lessons from the U.S. Government's failure to prevent the Fort Hood attack. A Special Report by U.S. Senate Committee on Homeland Security and Governmental Affairs, Washington D.C. February 2011, p. 7.

for the Dutch government to wonder whether individuals with violent intentions are living in our country and whether such individuals can be monitored by the authorities before it is too late. However difficult it is in the case of unknown individuals, the government will have to make some effort to develop 'radar systems' which increase the chance of unknown radicalising loners being detected on time. The 'comprehensive approach', which has already proven its value as regards classic forms of terrorism, could also be of use in this context. At the same time, the possibilities for action are limited in both a practical and legal sense. In line with a key basis for this strategy, namely that the protection of human rights is a fundamental condition for all counterterrorism measures in the Netherlands and abroad, steps have to be taken to ensure that counterterrorism is always proportional and in accordance with human rights standards.

As indicated above (in Section 3) there are a number of reasons why the Dutch government is focusing on the issue of 'menacing loners'. The (potential) socially-disruptive effect means that the threat presented by radicalised ideologically motivated individuals categorised within this group is important for CT policy. Such individuals are, in principle, a threat to everyone, but particularly to people whose security is the government's responsibility. As regards acts of violence by radicalised individuals who are clearly motivated by political or religious beliefs, there is generally little hesitation in labelling these people as terrorists. The situation is different in the case of people who exhibit what is referred to as 'hatred of the system' or who act on the grounds of presumed conspiracy theories. Often the motivation cannot be clearly described in ideological terms either. In that case there is a tendency to doubt the intellectual capacities of a perpetrator and to dismiss an act of violence as an isolated incident. On the other hand the targets of these menaces often have an actual or symbolic function as representatives of a social system they despise, or elements thereof (such as the presence of foreigners, or factory farming).

Recent analyses indicate a general tendency in Dutch society to hold the government or politicians responsible for any form of setback. Some unfortunate individuals believe that this justifies their decision to take the law into their own hands. An attack is therefore not only a form of retribution, but also a form of self-realisation. This is the case when a loner intends to carry out an ultimate deed in the presence of a large audience and thereby reveal himself to be someone who has the power to make life and death decisions. Due to the motivation, the symbolism of the selected target and the corresponding effects, an act of violence

like this against the political and social system has all the characteristics of a terrorist act.

The phenomenon of the radicalising loner is a source of concern for the Dutch government. An additional analysis of the problem and the possibilities for early detection, intervention and protection are essential in order to respond adequately to such threats from the perspectives of prognoses and security. The initial literature studies on the issue offer a number of pretexts relating to, for example, motivation, life experiences and triggers. These can guide the development of what are referred to as radar systems or methods for early signalling. However, a lot more knowledge and information will have to be acquired with regard to the phenomenon of radical individuals before resistance to this form of violent threat can be increased.

#### Procure – strategic commitment 2011-2015

From the above section it follows that future policy initiatives by the Dutch government in the field of information and intelligence gathering will primarily focus in the coming years on:

- a flexible and threat-oriented method of intelligence gathering which effectively connects the local, national and international dimension;
- the continued reinforcement of the information position of local authorities, to identify and obviate deviant behaviour which may indicate security risks at an early stage (such as undesirable travel);
- the early detection of radicalised individuals in order to facilitate rapid and adequate intervention using existing resources.



# 5

## Prevent

## 5.1 Introduction

Identifying processes of radicalisation among certain groups of individuals at the earliest opportunity helps prevent people from becoming more and more radicalised and perhaps engaging in terrorist acts. Radicalisation is the process that can lead to violent extremism and eventually even to terrorism.<sup>16</sup> Violent extremism is the willingness to use violence as the extreme consequence of an extremist way of thinking. Violent extremism is prevented and tackled by means of timely detection and specific intervention strategies.

This preventive policy that the Netherlands has pursued in recent years has had a tempering effect on the domestic terrorist threat. In addition to a preventive strategy, the Dutch government is also pursuing a policy of early intervention. This combination of prevention and early intervention has caused a decline in the willingness to support terrorism directly or indirectly, and has led to an increase in the resistance of minority groups in Dutch society to outside attacks or propaganda. In comparison with other countries, the Netherlands was quick to start its preventive approach to violent extremism. Other countries generally followed a more repressive approach. At international level the Dutch preventive approach is more and more in the ascendant: a growing number of EU partners and overseas allies are making prevention an integral feature of their CT policy.

In order to prevent terrorism, investments need to be made in both the short and the long term in resources which the government can use to take action. Preventing terrorism means two things:

- the prevention of attacks through early action or disruption;
- the prevention of violent extremism which can lead to (support for) terrorism (prevention).

The actions here concern measures aimed at hampering the possibilities for carrying out an attack (terrorism as a deed) and measures intended to prevent terrorism (terrorism as a phenomenon). Examples of the former measures are the disruption of activities, the impeding of financing, and deliberate action against specific individuals or groups. In comparison to previous years there will be a greater focus on early

<sup>16</sup> Radicalism and orthodoxy, however ideologically motivated, are phenomena which are deliberately not an element of CT policy. The Dutch government does not, by definition, regard radicalism and orthodoxy as being a problem from a security perspective. They only represent an extreme or conservative mentality. History shows that such a mentality does not, by definition, have to be damaging.

intervention, determined by intelligence and criminal evidence. Measures in the second group include, for example, actions focused on increasing resilience among the population, promoting processes of deradicalisation and improving international cooperation with specific countries or regions. A new element is the focus on the prevention of violent extremism. Whereas in previous years investments were made primarily with regard to the prevention of extremism or radicalism as undesirable social phenomena, from now on these phenomena are going to be regarded as not being problematic in themselves from the security perspective. After all, in most instances, extremism or radicalism as a mentality does not result in violent actions or other illegal behaviour. This is, in any event, what experience has taught us.

## 5.2 Early action and disruption

Action is taken against individuals or groups after indications have been found, through observation of these people or groups, that they constitute a potential terrorist risk. Such action can take on various forms, such as the early disruption of the activities of groups or individuals, the freezing of financial assets, specific action on the part of the police or support units, or legal action against foreign nationals. The implementation of actions against terrorism in a general sense and against specific people or groups in particular requires that the government must be able to obtain and analyse the required information. The government then needs to have at its disposal the necessary instruments, authorities and an efficient organisation, in order to take action on the basis of the acquired information. One condition for effective action is that the organisations in question cooperate properly and exchange relevant information. The cross-border nature of terrorism means that international cooperation and information exchange is essential.

It has already been mentioned that the CT Information Box plays an important role in the Netherlands as regards counterterrorism measures against individuals. Cooperation and information exchange between the parties concerned facilitates specific action aimed at early disruption, the freezing of assets, goal-oriented action by the police or special (support) units, or other measures.

### Disrupting activities

If activities are related to terrorism, but not (yet) punishable, they can be disrupted. This disruption means the monitoring of someone in such a way that it becomes clear to this person and those around him



that he is the focus of government action. As a result the person will not be able to play a role in terrorism-related matters<sup>17</sup>. Disruptive activities are carried out by the police, local authorities and the AIVD.

### **Combating terrorism financing**

Combating the financing of terrorism focuses on the prevention of attacks, the detection of terrorists using financial details, and the frustrating of terrorist networks. Although it is often the case that only relatively small amounts of funds are needed for an attack, this is still an area that needs working on. After all, the availability of plenty of financial resources facilitates advanced attacks. In addition, the instruments with which the financing of terrorism can be discouraged are more effective when they are part of a comprehensive process of terrorism investigations based on intelligence or criminal law. Terrorists and terrorism suspects can be traced using financial details in the Netherlands and abroad. Making financial flows transparent generates information for the intelligence services. The Netherlands also cooperates internationally in various fora such as the Financial Action Task Force (FATF), which sets standards which are designed to prevent the financing of terrorism. At the beginning of 2011, the FATF investigated the extent to which the Netherlands fulfils forty recommendations relating to combating money laundering and nine special recommendations relating to combating the financing of terrorism. The evaluation describes Dutch policy and, where necessary, makes recommendations for strengthening certain elements. On the whole, the Netherlands comes up to the mark. Having said that, the report was constructively critical about a number of elements of the Dutch policy. Where necessary, the Netherlands will act on this criticism and take suitable measures. One important measure taken as a result of the report is the decision by the Ministry of Security and Justice to include in the Criminal Code an autonomous penalisation of terrorism financing so that this crime can be clearly positioned in the law pursuant to the recommendations in the report.

The combating of terrorism financing also helps to frustrate the operations of terrorist networks. Placing terrorist organisations and people on the EU and UN sanction lists<sup>18</sup> not only allows the assets of terrorist networks to be frozen (thereby impeding the preparation of

<sup>17</sup> Terrorismebestrijding TK 2003-2004, 29 754, no. 1, p. 11.

<sup>18</sup> The basis for these lists is UNSC resolution 1267 relating to al Qaeda and the Taliban, implemented at EU level by means of Vo881 and by UNSC resolution 1373, implemented at EU level by means of Vo 2580 and the EU internal list.

attacks) but, at the same time, also sends out a signal that these networks have to be thwarted in every possible way. For example, the UN list obliges all countries of the world to maintain a visa ban for people on the list. This approach also helps to counteract undesirable travel. Both the placement of people or groups on the lists ('listing') and the removal of people or groups from the lists ('delisting') demand considerable transparency and care. The government therefore constantly monitors the legal protection of the parties involved. An investigation in 2008 by the Chamber of Audit [Algemene Rekenkamer], into the combating of money laundering and terrorism financing, shows that the timely collection of relevant information from public and private organisations within the enforcement chain enables terrorism financing to be tackled more effectively.

The report entitled Antiterrorismemaaatregelen in Nederland in het eerste decennium van de 21e eeuw highlights the fact that, due to criticism by experts and a number of court cases, the sanction lists offered better legal protection in 2010 for people and organisations included on them than used to be the case. The changes concerned, among other things, guidelines for the delisting procedure, improved information provision in the event of listing, the requirement of informing people and organisations of the reasons for listing, and the addition of a 'cover sheet' which Member States have to fill in when listing people or groups. The Dutch government will continue to work on ensuring a balance between the effectiveness of the lists and the legal protection of the parties involved in the future, and to make improvements where necessary.

The financing of terrorism is increasingly a process of interlinking between organised crime and terrorist networks. On the one hand, criminal organisations make funds available to terrorist networks because they pursue similar goals (undermining stability, which benefits the activities of the criminal organisations as well). On the other hand, terrorist networks also engage in criminal activities in order to finance their planned activities. The Dutch government is making efforts to hamper this 'interlinking' by means of policy measures and legislation. This will, of course, involve cooperation at international level.

### **Specific action**

The government has the possibility of instituting criminal proceedings against people for preparatory activities before they actually carry out the intended terrorist attack(s). This is possible thanks to broader

criminal law liability as regards preparatory actions and activities which facilitate or support terrorist crimes. The police and the Public Prosecution Service have the authority to investigate such facts at an early stage and to take action as necessary.

The government can only take specific action if the information indicates that specific individuals or groups are preparing an attack. Information is the most important resource in this context. In order to prevent attacks, it therefore has to be possible to use information as quickly as possible when taking decisions or engaging in action. The most important suppliers of information are the police (particularly DNR and IPOL) and the intelligence services AIVD and MIVD. Actual action against groups or individuals is taken by special police and military units. For this purpose the Special Interventions Service [Dienst Speciale Interventies] (DSI) was set up in 2006 as the umbrella service as regards the deployment of special forces. The DSI was established to guarantee more coherence in the system and to ensure an optimal approach to modern terrorism. In terrorism-related situations, situations of serious violence, or in special cases, the service has general control over the deployment of the special (support) units. In the first six months of 2008 the special units system<sup>19</sup> was evaluated by a committee chaired by the former Director-General of Law Enforcement at the Ministry of Justice, Mr drs. C.W.M. Dessens. The committee concluded that the system functions 'satisfactorily' but would function better if the cooperation could be raised to a higher level.<sup>20</sup> The report entitled *Antiterrorismemaatregelen in Nederland in het eerste decennium van de 21e eeuw* observes that the deployment of special units is exceptionally dependent on cooperation with law enforcement and intelligence services. In the view of many experts, the deployment takes place in an acceptable manner, but this will continue to be the focus of explicit attention in the future. As regards the decision making procedure concerning the deployment of special units, future efforts will focus on clarity regarding the formal arrangements for all those directly involved.

<sup>19</sup> The special forces system consists of the police and military special support units (referred to as UI, UE&OO and UIM), the regional and Kmar SWAT and Support Units and an umbrella service for special interventions (DSI).

<sup>20</sup> One important change to the system is that an Arrest and Investigation Unit (AOE) has been set up within the Dutch National Police (KLPD) comprising personnel from the DSI. This provides support for the regular AOE's and allows the DSI personnel to gain experience on the ground.

Another form of specific action is the ‘person-oriented approach’ (PGA). Whereas, in 2004, the approach still involved the active disruption of activities by people linked to terrorism (referred to as ‘government harassment’), the current PGA adopts a softer approach. The PGA in its current form is tailor-made and ensures that the person in question is encouraged to renounce violent extremism by means of positive interventions, or to ‘resocialise’ after a conviction or release. The future PGA is also oriented around positive interventions, and its main point of departure is that the person in question should be able to start leading a ‘normal’ life as quickly as possible, as an alternative to the process of radicalisation he finds (or found) himself in.

#### **Taking action on the basis of aliens legislation**

Where necessary, in situations in which foreign nationals can be linked to terrorism and radicalisation (for example on the basis of a situation report by the AIVD), the IND possibilities on the basis of aliens legislation are assessed, with action possibly being taken as a result. Examples are the refusal, withdrawal and/or non-renewal of a residence permit, an exclusion order and the refusal or withdrawal of Dutch citizenship. Foreign nationals are repatriated by the Dutch Repatriation and Departure Service [Dienst Terugkeer & Vertrek] (DT&V).

#### **Military action**

The most far-reaching and large-scale example of early action is military intervention. The NATO actions in Afghanistan provide an example of such intervention. In order to tackle the terrorist threat against the West, military action is taken against terrorist elements and, in combination with development cooperation organisations, investments are made in strengthening the resilience of the Afghan government and population. This approach strengthens the position of the Afghan government through financial and practical support, and means that investments can be made in the reconstruction and development of Afghan regions. The ultimate goal is a safe and stable Afghanistan where extremist elements do not have any chance to emerge and grow. The expectation is that this will, in the long term, have a positive effect on the terrorist threat in Afghanistan itself and the threat against the West.

The activities described here are also going to be important in the coming five years. They have proven their usefulness and are going to be applied proportionally in future CT policy choices.

### 5.3 Preventing violent extremism

A second way of preventing terrorism is the preventive approach to violent extremism. Radicalisation is the process that can lead to violent extremism and eventually even to terrorism. Violent extremism is defined as ‘the willingness to use or legitimise violence as the extreme consequence of an extremist way of thinking’. Radicalisation in the current context refers to the process of a growing internalisation of a way of thinking inspired by al Qaeda (hereinafter often abbreviated as ‘AQ’), which is referred to as global jihadism. From the perspective of the comprehensive approach, not only is the actual use of violence relevant, but also the willingness to use violence and the violence potential of extremist groups or individuals. The sooner action is taken, the smaller the eventual risk is of a terrorist attack.

It must be emphasised, however, that radicalism and orthodoxy as phenomena are explicitly not aspects of CT policy. The Dutch government does not, by definition, regard radicalism and orthodoxy as being a problem from a security perspective. They stand for an extreme – or very conservative – mentality as regards a specific issue (or a number of issues). In most cases this mentality does not result in violent or other illegal behaviour. This is, in any event, what experience has taught us.

It is also explicitly the case that the point of departure of the comprehensive approach continues to be fully valid. Tackling violent extremism continues to involve a combination of preventive and repressive policy. Early interventions will also take place where necessary. One difference with previous years is that orthodoxy and radicalism are no longer the subject of CT policy.

The ultimate consequence of accepting an extremist way of thinking is to support the carrying out of terrorist acts. Adopting an AQ inspired way of thinking is not something that happens overnight. Various theories exist about how processes of radicalisation occur, but there are a few shared features that can be noted. The demand side, the supply side and the context (breeding ground), which can undermine the resilience of the demand side against the AQ supply, are all relevant to (AQ) radicalisation. Once a process of radicalisation has been set in motion (or has been completed), a fourth element becomes relevant, namely deradicalisation. These four elements are clarified briefly below. It has already been stated that attention also needs to be paid to potentially new forms of terrorism (for example right-wing extremism, left-wing extremism, animal rights extremism or anti-globalisation). In the current context this special attention consists primarily of shado-

wing and monitoring developments within these groups. As soon as an increasing willingness to use violence is observed, this will necessitate concrete policy initiatives from a CT perspective. The four track approach outlined below can therefore, in principle, be used for all forms of radicalisation. It is of course evident that the content-based arguments, senders, channels and intermediaries that are used will differ per group.

The demand side in the current context means the young generation of Muslims who are looking for the meaning of what it is to be Muslim in today's world. For various reasons relating to migration, possible generation and cultural gaps and an often faulty religious infrastructure, these young people often leave the traditional family atmosphere in search of answers about faith, international relations and society.

The supply side here represents the ideology offered by the AQ-inspired movement, which intends to appeal to these young people as they search for answers relating to their identity and a world view, a framework for their ideas, and a 'raison d'être'. A mix of political, social and religious stories is used to try and convince young people of the truth, necessity and justness of what is being offered.

The fact that there is an active supply and also a demand does not mean that these, by definition, match up. Almost everyone has a certain resilience to the extremist discourse and to groups regarded as extreme. The problem is that this natural resilience can be broken. At that point, the existing supply (which is relatively easy to obtain) may result in the transition to a willingness to use violence. Recruiters therefore try to break through that resilience by exploiting uncertainties, sensitivities and frustrations. The current social and international context is a breeding ground for such exploitable frustrations. Strong feelings of injustice, group threat and uncertainty among minority groups at local, national and international level make it easier for recruiters to break through that natural resilience. If the supply meets the demand, a process of radicalisation and the gradual adoption of the AQ-inspired way of thinking can commence. Once people are convinced, the next step is to convert the way of thinking into action.

In addition to general notions of sensitivity and breeding grounds for radicalisation, attention needs to be paid to people who are in a process of radicalisation and who are considering using violence or who have already demonstrated that they are ready to use violence. A process of deradicalisation can be started for these people. The target group in this context may vary from restless young people in specific urban districts to

detainees in their own separate prison wing. One example of the latter is the special Terrorism Wing (TA) of the penal institution in Vught.

A strategy aimed against radicalisation and ultimately at preventing terrorism therefore means pursuing a policy:

1. to reinforce resilience on the demand side;
2. to undermine the supply;
3. to reduce the breeding ground;
4. to reverse observed processes of radicalisation (deradicalisation).

These four elements are explained in more detail below.

1. *Reinforcing resilience on the demand side*

The policy that is aimed at reinforcing the demand side is known as target group specific prevention. This means that specific measures are taken to reinforce the resilience of those groups which are the target of jihadist recruitment and propaganda, and groups which are or may be sensitive to the extremist supply. Examples of such measures are creating social networks, setting up programmes to increase the capacity for critical judgement, reinforcing democratic awareness, providing resilience training, and cooperating with role models and leaders.

2. *Undermining the supply*

Undermining the supply means tackling the content of the terrorists' narrative. Why is this narrative so attractive to some young people? In order to assess the processes of radicalisation properly and not allow them to develop into terrorist activities, it is important to have a proper insight into the terrorists' ideology. The government is taking steps to analyse this 'narrative' and, where possible, provide counterarguments or a 'counter narrative'. The exact content of this counter narrative will be different on each occasion, depending on the type of arguments used (political, moral, religious, etc.), the environment in which the discussion is held (a region, country, city, etc.) and the size of the target group at which the message is directed (individual, group, etc.). Of course, Internet plays an important role in this respect. Internet as a free space for ideas and exchanging thoughts is extremely suitable as a platform for jihadists to disseminate and defend their discourse. It goes without saying that the Internet also offers possibilities for the government to organise – through government means or third parties – a 'counter narrative' against this jihadist discourse.

It is very important, for all forms of 'counter narrative', that the government asks itself who the sender should be of the message in question. In many cases this will not be the government itself. Intermediary organisations or certain people will often enjoy more credibility and support than the government among the target group for which the message is intended. In addition, the government must always take account of the separation between church and state. Where possible the Dutch government will try to enter into strategic alliances with intermediaries. It is also important to prevent these organisations and people from losing credibility and support - precisely because they collaborate with the government - in the eyes of the target groups they represent and are approaching on behalf of the government.

Besides the substantive undermining of the jihadist discourse, the government can opt to encourage as many alternatives as possible. Encouraging such multiform supply (with both an orthodox and a moderate message) can also lead to a delegitimisation of the jihadists and the content of their discourse. This form of supply will also require that the government is consistent in asking itself who the most suitable sender is.

### 3. *Reducing the breeding ground*

The comprehensive approach is based on a point of departure that processes of radicalisation among groups and individuals must be identified at an early stage to prevent terrorist violence actually being committed. In order to prevent radicalisation it is necessary to identify the factors which can have a catalyst effect on the radicalisation process that some young people undergo or which causes others to support young people in this endeavour, whether tacitly or otherwise. The policy focuses on offering people opportunities to participate fully in Dutch society. In addition to eradicating the breeding grounds, it is important that citizens accept the fact that the Netherlands is an open, pluralist society in which various religions and lifestyles coexist. This includes an appreciation of democracy and the constitutional state, and loyalty to core values.

Wherever a shared history and shared culture are less self-evident, the importance of the democratic constitutional state as a binding agent increases. The Dutch constitutional state is oriented around core values such as freedom, equality, solidarity and space for multiformity. The state intervenes whenever values of the constitutional state are threatened, and works towards promoting these



values as binding and connecting principles of Dutch society. The power of thinking in terms of the constitutional state is that it is not based on a specific religion, philosophy of life or political preference, nor is it based on the public morality of a majority. In a constitutional state the government calls citizens to account with regard to their behaviour, and not their ethnicity, religion or other differences. However, the constitutional state principles only acquire meaning if they are known, acknowledged and supported by citizens. If citizens do not make the most of their citizenship, their rights and obligations to participate individually, but also together with others, in their country, city of neighbourhood, the Constitution will continue to be little more than an empty shell or a difficult book. Citizenship is therefore essential for a living democratic constitutional state.

In the event of (contributions to) excessive radicalisation which, in extreme cases, could result in violent extremism and/or terrorism-related activities, action has to be taken in order to avoid far-reaching consequences. Such action can be described as preventing further radicalisation, where possible, and isolating or confining the radicalised person or organisation where necessary. An assessment will have to be made per situation to determine what the best approach is, depending on the stage the process of radicalisation is in. In order to act in good time it is important that the 'eyes and ears' of local government and professionals who work a lot with young people (such as the police and youth workers) are open to signals which may indicate violent extremism and/or terrorism. It is important that these professional groups are sufficiently competent at identifying such signals, and that they feel they have the support to actually intervene (on a small scale). It should be emphasised that these people are part of an integral prevention strategy and that they should not be perceived as 'spies' or glorified police officers. Lastly, agreements need to be made about the forwarding of signals which allude to far-reaching radicalisation.

The government can publicise the fact that it recognises certain grievances or feelings of hurt among some groups in society and perhaps even empathises with these emotions without, of course, having a detrimental effect on the policy it is pursuing. After all, if the latter was the case, the government would undermine its own legitimacy and credibility. Acknowledging the feelings of hurt or discrimination among certain groups in society can have a tempering effect on the breeding ground for radicalisation and (ultimately) even terrorism.

How the Netherlands is perceived abroad is also relevant to the breeding ground for violent radicalisation and (ultimately) terrorism in and against the Netherlands. In general, the Netherlands has a positive image abroad. However, in countries with an Islamic majority the image of the Netherlands is largely determined by Dutch Middle East policy and by incidents in and around our country. The enormous growth of web-based media (including social networks) and the ever-shorter news cycles can change reputations in the blink of an eye. That is why the Netherlands is working, via public diplomacy, to improve its image abroad. This involves cooperation with strategic partners on a diverse and realistic image of the Netherlands as a country that offers space for all kinds of different lifestyles and religions. Where possible, explanations are provided of what freedom of speech, the democratic constitutional state and the separation of powers mean in practice. In addition to public diplomacy, 'social diplomacy' also plays a role, whereby organisations from Dutch civil society work to achieve a positive and realistic image of the Netherlands abroad. It goes without saying that it is also important to bear in mind the independent position which these organisations adopt with regard to the Dutch government. This benefits the credibility and the critical capacity of these organisations, and ensures support and sufficient receptivity for the message among the intended target group(s).

Lastly, there has to be a focus on the question of whether the government, through its actions against terrorism and the visibility thereof, does not increase the terrorist threat and the breeding ground for terrorism. The relationship between official CT policy and the accompanying discourse (in laws, declarations, measures and communication) on the one hand and the social and political image relating to terrorism and counterterrorism on the other is also referred to as the 'performativity' of terrorism policy.<sup>21</sup> Although the Dutch government does not make any deliberate attempts to actively influence the social and political image, it does acknowledge that image plays an important role as regards counterterrorism. After all, in addition to an armed struggle, terrorists also engage in a psychological fight: a war relating to perception. The response to their acts is partially determined by public opinion and by the media. The Dutch government takes account of this by acting objectively in the context of communication about counterterrorism and by guarding

<sup>21</sup> B.A de Graaf, *Theater van de Angst, De strijd tegen terrorisme in Nederland, Duitsland, Italië en Amerika* (Amsterdam 2010).

against possible escalation. The use of language, timing, choice of channel and pro-activity are essential elements in this regard.

4. *Reversing observed processes of radicalisation (deradicalisation).*

A process of 'deradicalisation' can be initiated for people who find themselves in a process of radicalisation, who are considering using violence or who have already shown that they are prepared to use violence. The deradicalisation process can be encouraged through the use of former radicals. They can play a crucial role because they have the experiences and arguments to change the views held by radicals. Another tactic which can be considered is the use of religious leaders, family and friends. The latter two, in particular, have demonstrated their effectiveness in practice. After all, they are closest to the person in question. Lastly, special deradicalisation programmes are being developed in prisons. This links up with experiences abroad. It should be noted that deradicalisation programmes used in prison should, in most cases, also be continued after the period of detention has ended. The focus on this group should not end as soon as the person leaves prison. This means that municipal authorities have an important role to play in this process. They are responsible for the supervision and reintegration of ex-detainees. This includes ex-detainees who have been sentenced for (preparing) a terrorist crime. The national government will assist the municipalities where necessary.

A second comment that needs to be made concerns the fact that, in some successful cases of deradicalisation, entirely different factors appear to play a role than substantive argumentation and communication (i.e. 'counter narrative'). Often personal circumstances cause someone to decide to quit the radical path: a marriage, the birth of a child, reaching a certain age, moving house or even the death of a family member. Withdrawing from a violent extremist movement and/or persuasion is referred to as 'disengagement'. More research is needed to ascertain what the fundamental reason is for disengaging from a violent extremist movement and/or persuasion: substantive arguments or personal circumstances, or perhaps a combination of the two. Up to now, initial research results appear to point to a combination of the two.

## 5.4 International cooperation

International cooperation is crucial for preventing radicalisation and (supporting) terrorism. The link between radicalisation and terrorism are widely acknowledged at international level. After all, every terrorist undergoes a process of radicalisation. Radicalisation and recruitment are problems common to many countries. The Netherlands is working intensively at the international level on improving the rule of law, promoting good governance, improving human rights, promoting democracy and a strategy of 'forward defence'. Clearly these initiatives can only succeed on the basis of proper cooperation with foreign partners.

### 1. *United Nations*

The UN counterterrorism strategy, which was adopted on 8 September 2006, provides a framework for structuring efforts to counteract and prevent radicalisation and counterterrorism at international level. The strategy is based on four pillars:

- 'measures to address the conditions conducive to the spread of terrorism';
- 'measures to prevent and combat terrorism';
- 'measures to build state capacity to fight terrorism and to strengthen the role of the United Nations in this regard';
- 'measures to ensure the respect of human rights while countering terrorism'.

The adoption of the strategy (resolution 60/288) meant that all UN Member States had reached unanimous agreement on a joint approach to the fight against terrorism. The strategy and the plan of action which were part of the resolution are the proof that terrorism in all its forms is unacceptable and that the Member States will have to take steps individually and jointly to prevent and combat terrorism. In the coming years the main focus will be on making the UN strategy operational. As an active UN Member State the Netherlands will provide support by helping to develop and implement counterterrorist measures.

As yet there is no agreement between the UN Member States regarding a legal definition of the term 'terrorism'. Neither is there any agreement about a universal UN treaty against international terrorism which would supposedly complete the international law framework for counterterrorism. In recent decades a detailed international-legal system of norms has been created. This system obliges countries to combat the various forms of terrorism, and

facilitates the international cooperation required during the detection and prosecution of terrorism.

## 2. *European Union*

As regards the prevention of violent extremism, cooperation with EU partners and overseas allies is extremely important. Many EU partners face the same social problems as the Netherlands. Often, however, there are differences in approach which can be enlightening and instructive if shared. For example, cooperation is needed as regards the timely isolation, confinement and averting of radicalisation. After all, violent extremists and groups can easily split off and relocate within Europe. Sharing experience, knowledge and information with EU partners is very important as regards preventing and dealing with the consequences of attacks in the EU. The lack of (standard) internal border checks in the Schengen area makes this even more necessary. Bilateral contacts with our immediate neighbours (Belgium, Germany and the United Kingdom) require our full attention, as do contacts with the European countries which are often the first port of call for migrants and which also have large migrant communities (France, Spain, Italy and Greece).

The EU Counter-Terrorism Strategy of 2005 obliges the European Union and its Member States to tackle terrorism globally with respect for human rights, and to offer space for freedom, security and justice for all its citizens. In 2005, the European Union also adopted the EU Strategy for Combating Radicalisation and Recruitment and the associated plan of action. The Netherlands is taking an active part in the implementation of this plan. It is intended to reinforce the cooperation between the Member States in the field of radicalisation. Given the fact that the threat of terrorism in Europe differs per Member State, the plan of action takes the form of a 'tool kit' which the Member States can use at their discretion. At the request of the EU Counterterrorism Coordinator (CTC) the Netherlands has assumed a leading role in tackling radicalisation and recruitment at local level. The importance of the strategy and the associated plan of action is based partly on the fact that, similarly to the Netherlands, the EU is opting for a comprehensive approach.

Given the importance and influence of EU counterterrorism policy for our country, the Netherlands is in favour of an evaluation of European counterterrorism measures. The Netherlands will work actively to continue and develop the so-called European 'stock-

taking' exercise<sup>22</sup>. In the case of countries with which the Netherlands has engaged in close bilateral cooperation in the field of counterterrorism, the importance of the evaluation and the resulting insights will be highlighted.

The Treaty of Lisbon has stimulated counterterrorism cooperation. First and foremost this is due to the implementation of qualified minority decision-making in many areas. In addition, legal protection and the focus on privacy protection and other human rights have increased. For example, the powers of the European Union Court of Justice in Luxembourg have been significantly extended, and the Charter of Fundamental Rights is now binding for the Court of Justice. In addition to this, the role of the European Court of Human Rights in Strasbourg has been increased as regards assessing and applying European legislation in legal proceedings. This will be even more applicable if the European Union accedes to the ECHR. The Treaty of Lisbon will also provide an external diplomatic service for the Union. It is important that the information which this service collects is also made available to the Member States and that conversely the service is provided with the information it needs to function.

In the coming years it is first and foremost important to implement the measures that the European Member States have agreed upon in recent years. A review of the European strategy for counterterrorism is not required. That strategy is broad enough to address many new developments. Key issues for the future are: improving the cooperation between national law enforcement and intelligence services, the access to European data with regard to counterterrorism, the coherence of the national and European external policy, the cohesion between the EU external policy and JIBZ, uniformity of agreements regarding the exchange of information with third countries, and coherence between national and European justice policy.

<sup>22</sup> In July 2010 the European Commission published the document entitled 'Taking Stock of EU Counter-Terrorism Measures', an overview of the most important results and challenges for the future in the field of counterterrorism. It offers an instrumental overview of what has been achieved in the four different areas of EU counterterrorism strategy (Prevent, Protect, Pursue and Respond) and the plan of action for implementing this strategy. It summarises which legislation and policy measures have been implemented and the state of affairs with regard to their implementation, results and specific evaluations.

### 3. *Overseas partners*

The contacts with overseas allies and partners like the United States, Canada and Australia will, in the first place, be determined by mutual interests. As far as the Netherlands is concerned the information position of these countries can contribute a lot to the own view of developments in the area of CT. Close cooperation is taking place with the United States, Canada and Australia in various areas: information exchange (for example intelligence, police and justice data, banking details, passenger data), domestic policy, justice policy and foreign policy. One example is the cooperation with Australia as regards counterterrorism and the combating of radicalisation in Indonesia. This cooperation has proven in practice to have huge benefits. The accent is always on prevention: the timely isolation, confinement and averting of radicalisation. A strategic commitment in a broad sense of this relationship with a focus on interests in the fields of the movement of people, financial transactions and the Internet will have to provide the basis for Dutch action. This requires close harmonisation between the various government departments involved in this matter in the Netherlands. Continuous assessment will also be necessary to determine whether the negotiations have to be conducted bilaterally or within a European framework. The advantage of European action is threefold (and these days usually a 'conditio sine qua non'). First of all, the Union carries more weight than the Netherlands. In addition, the issues concerned invariably have a strong cross-border character, for which only a European or global approach can be effective. Lastly, all these issues affect the Space for Freedom, Security and Justice, meaning that at least a certain degree of intra-European harmonisation or coordination is desirable.

Lastly, cooperation will also take place with international partners that are facing a concrete threat from non-jihadist terrorist groups, for example due to actions that counteract recruitment and fundraising. This is done by information exchanges with the foreign partners in question and by building up and developing a thorough information position, for example by the AIVD, IPOL and DNR. If applicable, cooperation will also take place with the international Europol and Interpol police organisations.

## Countries and regions

Section 2 identified a number of different regions which, based on four criteria<sup>23</sup>, deserve attention from a CT perspective in the coming years. The following are explanations of what the Dutch commitment will be in these regions in the coming five years.

### 1. *Southern Asia: Afghanistan and Pakistan*

The terrorist threat against Dutch interests in and from Afghanistan and Pakistan, and the movement of people between these countries and the Netherlands, means that both countries will continue to be priority regions within the Dutch CT policy. In Afghanistan and Pakistan the reinforcement of the legitimacy and the capacity of the government and the improvement of the security situation are just some of the priorities. Other important aspects are the political dialogue (including the dialogue on counteracting radicalisation and polarisation) and the strengthening of regional cooperation (Afghanistan, Pakistan, India). Partnerships can also be entered into with other countries in the region (for example India).

### 2. *Horn of Africa and Arabian Peninsula: Somalia, Kenya, Yemen*

In the context of CT, Somalia and Yemen continue to be priority countries for the Netherlands, given the fact of the terrorist threat against Dutch interests from this region and the movement of people between these countries and the Netherlands. Terrorism and radicalisation in Kenya and Somalia will be tackled within the framework of Dutch foreign policy on these two countries. The improvement of the security situation, the strengthening of (local) good governance and the prevention of conflict also play an important role in this policy. It is also important to reinforce the intelligence relationship, for example to enable the timely identification and prevention of imminent terrorist activity from within Somalia aimed at the neighbouring and Western countries. Combating radicalisation and terrorism are already an important component of the Dutch and EU policy on Yemen. Among other things, conflict prevention, the promotion of human rights and capacity building continue to be the priority.

<sup>23</sup> The Dutch interests/presence, the threat assessment and the possible knock on effect for the Netherlands, migration and the movement of people, available knowledge and experience in the field of processes of radicalisation and terrorism.



### 3. *Maghreb and Sahel*

In the coming years North Africa and the Western Sahel will continue to be a priority for the Netherlands from a CT perspective. The reasons for this are the terrorist threat in and from this region, the relative proximity to Europe and the Netherlands, the close ties between the Netherlands and several countries in this region, the intensive movement of people between this region and the Netherlands, and the need for a joint approach to the complex system of terrorism and cross-border organised crime (transnational networks) within this region and between the Western Sahel and the European Union. The cooperation relationship which has already been developed between the Netherlands on the one hand, and Morocco and Algeria on the other, offers an opportunity for greater depth, for example in the context of combating radicalisation. In Moroccan and Algerian societies, it is important to increase resilience and bonds. The strengthening of regional cooperation continues to be an important condition for the implementation, by the countries themselves, of effective measures to counteract terrorism and radicalisation. The enhancement of good governance, conflict prevention and capacity building, including attention for processes of radicalisation, are key elements of the Dutch policy on the Western Sahel, in particular in Mali. The Netherlands has already had a development cooperation relationship with Mali for years.

### 4. *Turkey and Indonesia*

Turkey and Indonesia have a rich history of bilateral cooperation with the Netherlands. In addition, both countries have a (recent) history of violent extremism, radicalisation and terrorist attacks. Good relations exist with both countries at many levels as knowledge exchange partners, and these relations can also be used to enhance Dutch knowledge and an understanding of radicalisation processes in democratic Islamic societies. The Turkish and Indonesian experiences with the promotion of the resilience of the population, alerting the local government to the dangers of radicalisation and the isolating of radicals can be a source of knowledge and greater insight for the Netherlands. In order to refine Dutch counterterrorism policy and particularly its implementation, it is essential that this knowledge is intensified.

### Prevent – strategic commitment 2011-2015

From the above section it follows that future policy initiatives by the Dutch government in the field of preventing (support for) terrorism will primarily focus in the coming years on:

- specific action against individuals or groups, for example in the event of intended travel or the use of the Internet for terrorist purposes;
- counteracting violent extremism, at national and international level;
- continued strengthening of international cooperation.



# 6

## Protect

## 6.1 Introduction

Although the primary focus of this strategy document is on the formulation of strategic points of departure for future counterterrorism policy, attention for security in a broad sense is justified with a view to taking protective measures. The Netherlands has two systems whose aim is to avert threats against specific objects, people, services or sectors. These are the Surveillance and Protection system (S&P) and the Counterterrorism Alert System (CAS). The S&P system is intended to enable security measures to be taken in the event of threats of risks aimed at individual people, objects and services. The CAS ensures the protection of the totality of vital business sectors. Both systems are clarified in detail in the following paragraphs. The government is also focusing particular attention on protecting its external borders and civil aviation. The powers in these areas are laid down in, for example, the Police Act [Politiewet], the Judiciary (Organisation) Act [Wet op de rechterlijke organisatie], the Municipalities Act [Gemeentewet], the Intelligence and Security Services Act 2002 [Wet op de inlichtingen- en Veiligheidsdiensten 2002] (Wiv 2002) and various underlying acts and regulations.

As a field of work, the surveillance and protection of people, objects, services and sectors has undergone a number of important changes in recent years. These days the focus is increasingly on the substantiated acceptance of risks, and on making these risks manageable. In a rapidly changing society with rapidly changing forms of threat, the focus must be on the flexible anticipation of threats. This is only possible if the pursuit of risk management can be combined with a certain degree of risk acceptance. The most important changes in recent years fit in with these developments:

- Increased attention for the human observations and the provision of perspectives for action to professionals ('security awareness and performance').
- Ensuring flexibility in the system for an adequate anticipation of the unpredictability of threats.
- Working with safety profiles so as to estimate and monitor risks more effectively.
- The use of test teams to investigate secured locations and services unannounced, and to test security aspects ('red-teaming').
- Increased attention for 'menacing loners', in particular 'radicalised individuals', as a focal group within the surveillance and protection field of work.

The most important goal of security is that the threatened person, the object or the sector can continue functioning with as little hindrance as possible. This automatically means the acceptance of certain risks. After all, because of the fact that we consider it important in the Netherlands that certain people in the public eye are protected and can move around in public, it is not desirable for these people to have to live in a bunker or only to appear on television. Unhindered functioning means that, based on the limits that security imposes, the people, objects or services in question can perform their social function as optimally as possible. It is impossible to guarantee absolute security. Protection therefore means making threats and risks manageable.

Surveillance and protection is a field of work that is still undergoing a great deal of development. In contrast to the specialist field of 'safety' (the promotion of physical security), the specialist field of 'security' (the decreasing of the threat and the promotion of security) is still relatively new. There are still few (national and international) laws and regulations, integral supervision is under development, research has been going on for a couple of years, training initiatives are being created on a small scale, and innovation has also started playing a role in the last few years. The government is going to continue expanding these activities in the coming years. This will include linking up with experience gained in the aviation and the nuclear sectors. Security has always been a priority in these sectors.

## 6.2 The Counterterrorism Alert System [Alerteringssysteem Terrorismebestrijding] (CAS)

In the Netherlands the Counterterrorism Alert System (CAS) was set up in 2005. The CAS ensures the protection of the totality of vital business sectors. The CAS ensures that, in the event of an increased threat in one or more of the affiliated fifteen sectors<sup>24</sup> all the government organisations and companies involved are informed quickly so that they can take any necessary measures. These measures are prepared and coordinated with the various authorities. The threat information comes from the police and the intelligence and security services. The NCTb combines this information and draws up a threat assessment. The added value of

<sup>24</sup> The sectors are: airports, railways, city and regional transport, seaports, tunnels and dykes, oil, chemical, drinking water, gas, electricity, telecom, nuclear, financial, public events and hotels.

the system is that the information exchange between authorities and the business community is structured, and that everyone knows what measures are being taken.

Security awareness is also extremely important. This is not only a matter for security specialists but also for the directors and staff of an organisation. The Netherlands is aiming to give security issues a structural place in social thinking and acting. This can, for example, be achieved through the 'security awareness and performance' programme that is aimed at increasing security awareness among professionals at CAS companies and CBRN institutions and professionals in the public sector, and at offering them operational perspectives in the case of possible threats of incidents.

### 6.3 Surveillance and protection

Surveillance and protection is intended to enable security measures to be taken in the event of threats of risks aimed at individual people, objects or services. The point of departure is safe and unhindered functioning. The term security covers all measures, both policy-related and operational, which focus on preventing attacks on people, objects or services, whether during events or in a specific area, such as an airport. Compared to security, surveillance is more preventive, for example in the form of cameras or guard posts. Security is what happens in connection with measures which make immediate action essential.

In the coming years there will be plenty of opportunities to continue developing this field. The social demand for action against threats is also increasing. It is essential to intensify research, training, and government supervision, and to develop new regulations. This approach covers a broader field than protection alone. It also means prediction, prevention and preparation. A strong information position on the part of intelligence services can lead to early detection (prediction). The enhancement of security awareness can help to prevent safety incidents. The system also works better if there are good decision-making structures and regular practice opportunities (preparation). Lastly, tackling threat sources (prosecution) and the realisation of effective supervision makes government action more effective.

The Netherlands uses five security points of departure:

1. where possible the threat must be removed as soon as it is clear what the threat source is;
2. a threat assessment which is as comprehensive as possible;
3. an optimal insight into the risks relating to a person, object or service;
4. as many tailor-made solutions as possible in the field of security measures;
5. where possible, taking account of the interests and the perception of the party being threatened.

The core of the strategy is to develop new, alternative methods for each point of departure and to introduce these to make surveillance and protection more effective and efficient in the long term.

1. *Less fragmentation of the focus on removing threats*

The threshold as regards expressing threats has been lowered through increased internet usage. The number of threats is therefore expected to increase. Internet monitoring by the intelligence and security services and comparative research by the Trouw newspaper in 2009 show that the tone on Dutch internet fora is considerably more critical than on similar fora in Belgium and the United Kingdom. On the street, in public transport, among health professionals and among local officials the relationships with clients and citizens are hardening. From the point of view of counterterrorism this is most visible in the context of the threat and, as a result, Dutch officials sometimes need to be protected.

A second striking trend also appears to play a role. On the one hand, society is less tolerant of violence and citizens appear to be less accepting of violence. On the other hand, those same citizens are more critical in their contacts with others. This trend can result in further polarisation. When citizens who collectively reject violence and threats become so dissatisfied that they start issuing threats themselves, this creates a self-perpetuating, negative spiral. The challenge is to find a single joint approach by government which can bring about change. An effective approach combines criminal law measures with prevention and communication. It also has to be clear that the key for effective interventions is to be found at local level.



2. *Collecting information on indirect indications of threats, as well*

The effectiveness of a security policy depends on the information provided on possible threats being as complete as possible. Benefits for the future can be achieved by continuing to combine flows of indirect information on threats. One example of this is the Passenger-Name-Records-policy (PNR), which can be used together with 'datamining' and 'profiling' to make risk predictions. It is also important to deal with threat sources, such as threatening letters, in a more coordinated fashion so that processes of radicalisation among threat sources can be identified. Experiments with new methods like these, for example by setting up a 'menacing loners' team at the KLPD, can help to identify a threat in time, with special attention being paid, in relation to CT, to radicalised individuals. More than is now the case, those who provide security must collect and record information on different events during the execution of their tasks. Combining and analysing that information should make it possible to identify suspicious (preparatory) actions at an earlier stage. The focus then is on creating intelligent links between those who provide security on the shop floor at the end of the chain, and the threat analysts who operate at the beginning of the chain.

3. *An unequivocal vision of risk management*

In the field of security it is noticeable that society is becoming less prepared to accept risks. One example is the incident on 4 May 2010 when someone called out and caused panic during the two minute silence to commemorate the dead on Dam Square in Amsterdam. This decreasing acceptance is resulting in increasing pressure on security professionals to exclude risks where possible. The focus should, however, be on making risks manageable and on the substantiated acceptance of risks. This requires expert and responsible security professionals who work on the basis of a shared vision, using state-of-the-art instruments. It is also important that citizens are aware of their own responsibility as regards making risks manageable. It would therefore seem effective to call citizens to account as regards their role as professionals within organisations. This has a direct effect on the security of those organisations and with that on society in a broader sense.

4. *Fewer visible measures due to innovation*

Moving from risk exclusion to risk management also means striving to minimise (visible) security measures. In this context the idea is to put less emphasis on the deterring effect of security measures in order to prevent that effect from leading to feelings of insecurity. The

aim must always be: no deterring effect unless there are good reasons. This requires new, innovative security resources. The use of (technical) innovations makes it possible to achieve the same or a higher security value using less visible measures. This also requires awareness, for example on the part of architects who produce designs which include the aspect of physical security as early on as in the design phase.

5. *Greater resilience through better supervision*

No matter which protective measures are taken, they will only be effective if they are supplementary to the own resilience of people and organisations. Implementation practice has taught us that faith in the measures and the expertise of those involved in implementation ensures that those threatened can move around with more assurance. This reinforces the effectiveness of the measures because it promotes unhindered functioning which is, in turn, the key point of departure as regards security. The fostering of trust among the recipient is therefore a separate objective in the context of protection. More knowledge is required about the way in which this trust comes about. This includes an evaluation of individual actions and research into customer satisfaction. The issue of security refusers and the scaling down of measures must also be dealt with. Certain people and organisations reject security measures for a range of reasons. Other people and organisations find it difficult to give up the measures after a time, once the threat has decreased or disappeared. A better insight into these phenomena may help to increase the effectiveness of protective measures.

## 6.4 Border control

Travel and various forms of migration constitute a growing challenge with regard to the monitoring of Dutch and European external borders. From the point of view of counterterrorism, these borders must be guarded effectively enough that terrorists wanting to execute their plans do not have an opportunity to pass these borders without being detected. At the same time the Netherlands and the EU have an economic interest in the rapid processing of passenger flows, they have to be an attractive place for knowledge migrants to settle and they must offer care and protection to anyone that needs it. It goes without saying that border surveillance is a field of work that requires close cooperation with European and international partners.

A lot of terrorist networks are organised and oriented at international level. Actions are, for example, prepared in one country but executed in another. It is very important to terrorists that they can move about freely. The Netherlands fulfils an international transit function. Adequate border surveillance functions as an obstacle to the cross border methods of terrorists and terrorist organisations. The Schengen agreement resulted in internal European border controls being done away with. Within the framework of counterterrorism, proper information exchange between intelligence and security services, an adequate local detection capacity and a specific assessment of incoming and outgoing people are very important. These are also the elements the Dutch government is focusing on. The aim of the Border Management Innovation [Vernieuwing Grensmanagement] programme is to achieve effective and efficient border supervision in the future that benefits the mobility of bona fide travellers, that reduces illegal migration and that makes a maximum contribution to security in the Netherlands and the Schengen area. The point of departure is a rapid and smart way of checking people's movements. As a result, the Royal Netherlands Marechaussee [Koninklijke Marechaussee] (KMar) has been responsible since May 1994 for Mobile Security Supervision [Mobiel Toezicht Veiligheid] (MTV) on the border with Belgium and Germany. The goal of these checks is to decrease illegal immigration and all forms of crime, including terrorism. Having said that, it is not always possible to keep terrorists out. Extra efforts by national and international law enforcement and intelligence services continue to be necessary, as does a strong information position of the government services involved at local and national level. The Dutch government intends to work during the coming years on optimising the entire chain of border surveillance where possible, in order to reduce the security risks referred to as much as possible.

## 6.5 Civil aviation security

The five points of departure of security which were mentioned in paragraph 6.3 apply equally to civil aviation. Point of departure 5 is then applicable to passengers and personnel at airports. The KMar uses these points of departure for effective and efficient security at Dutch airports.

In comparison to other potential targets, the civil aviation sector requires special attention because it has to deal with terrorist threats quite often. It therefore continues to be crucial that civil aviation in the Netherlands is adequately protected. This means security against (bomb) attacks on aircraft and civil aviation sites, skyjackings and other

forms of sabotage with possible fatal consequences. The use of aircraft as a resource for terrorist attacks is also the focus of much attention. Considerable attention is also paid to checking passengers, hand luggage and hold luggage and the security of the airports themselves. This is done by, for example, access control, monitoring the periphery, and by protecting aircraft.

The failed attempt to blow up an aircraft on 25 December 2009 that was en route to Detroit with a stop-over in Amsterdam, illustrates the fact that international interlinking and mobility also imply the existence of challenges for civil aviation security. Work is going on at national and international level to apply new technology, introduce elements of unpredictability and apply other interview techniques during security checks at the airports. Investigations are also taking place to assess whether the deployment of so-called 'air marshals' contributes to on-board security. The Netherlands is cooperating structurally with the United States, the United Kingdom, France, Germany and Israel in the field of explosives and the security of the infrastructure.

The civil aviation sector is taking the lead as regards estimating (new) *modi operandi* and exploring security technologies required to reduce the risks of attacks. An assessment is being carried out as to whether these technologies can also be applied in other (CAS) sectors. In other words, technological developments not only constitute possible new threats but also provide solutions for tackling these threats. The Netherlands intends to assume a leading role in the development and application of new technologies to combat terrorism. Examples are the introduction of the security scan, the development of new equipment for detecting fluids, improved camera supervision and a communal incident room infrastructure (GMI) at Schiphol airport.

Incidentally the security measures and technologies applied at the airports were two of the last links in the entire chain of security measures. The objective of all the services concerned is, of course, to prevent people who want to carry out an attack from actually gaining access to an aircraft. The efforts are also partly intended to improve the information exchange and analysis. The developments within the European Union aimed at creating an EU-PNR system play an important role in this context.

### Protect – strategic commitment 2011-2015

From the above it follows that future policy initiatives by the Dutch government in the field of protecting Dutch society against a terrorist attack will primarily focus in the coming years on:

- the continued development of the Surveillance and Protection system, with special attention for radicalised individuals and the issue of 'security awareness and performance';
- the optimisation, where possible, of the entire chain of border surveillance to counteract potential security risks as much as possible;
- the application, wherever possible, of new technologies to counteract new types of threat, with special attention being paid to the developments in civil aviation.

# 7

## Prepare

## 7.1 Introduction

Besides predicting terrorist threats, preventing (support for) terrorism and protecting Dutch society optimally against terrorism, the Netherlands must also be prepared for the consequences of a possible attack. The Netherlands differentiates between the following focal areas:

- Crisis decision-making
- Strengthening resilience
- Contending with consequences
- Communication after an attack
- Practice sessions

An important development with a view to being optimally prepared for the consequences of a possible attack is the focus on the interlinking between the international, national and local levels. The realisation that an attack usually has cross-border consequences is crucial primarily from the point of view of communication considerations. The government will take increasing account of this aspect in its CT initiatives.

## 7.2 Crisis decision-making

A proper coordination of crisis decision-making after an attack will make it clear to everyone involved what their roles and responsibilities are in the event of an attack. If the government responds adequately, the damage caused by an attack can be limited. This increases the capacity for resilience in such a situation.

### **Crisis decision-making and the power to overrule**

In a time of crisis the normal decision-making lines and procedures are no longer sufficient and adapted advisory and decision-making structures come into effect. Decision-making in the context of a terrorist crisis starts after a terrorist attack has been committed or if a terrorist attack is threatened. The agreements on setting up a crisis management organisation in the event of (the threat of) a terrorist attack are laid down in the National Handbook on Crisis Decision-Making [Nationaal Handboek Crisisbesluitvorming] (NHC).<sup>25</sup> It has been agreed that the NCTb must always be in charge of coordinating crisis decision-making at the time of a(n) (imminent) terrorist crisis. The crisis organisation at the time of a(n) (imminent) terrorist crisis is the same as the crisis organisation in the event of a generic crisis, on the understanding that the NCTb Surveillance and Protection Coordinator

<sup>25</sup> National Handbook on Crisis Decision-making 23 November 2009

[Coördinator Bewaking en Beveiliging](CBB), the National Coordinator for Counterterrorism [Nationaal Coördinator Terrorismebestrijding] (the NCTb) and the Minister of Security and Justice chair the advisory and decision-making body. Lastly, as regards the decision-making in the event of a terrorist crisis it should be noted that the Minister of Security and Justice, as the coordinating minister for counterterrorism, can use what is referred to as power to overrule. This power to overrule applies to acute terrorist threats and is laid down in the Royal Decree of 14 December 2005, 'containing a temporary reorganisation of ministerial tasks in the event of a terrorist threat of an urgent nature'.<sup>26</sup> If a situation is so threatening that rapid action is advised and regular harmonisation in the crisis management organisation would take too long, the Minister of Security and Justice can assume ministerial powers which, in normal circumstances, fall under the responsibility of other ministers. The organisation of the crisis decision-making process will be changed as a result of the transfer of this domain from the Ministry of Foreign Affairs to the Ministry of Security and Justice. The exact point in time at which this will take place was not yet clear when this strategy was published.

### International cooperation

European cooperation in the event of crisis management takes place if a crisis has cross border effects on the interest of the Union or of a number of Member States. Subsidiarity is the point of departure here: Member States are primarily responsible for crisis management at national level. At European level a crisis coordination mechanism is being considered which must consist of a steering committee, a group that decides on the use of operational services and a support mechanism that arranges expertise and relevant information from the services in the affected Member States.

## 7.3 Strengthening resilience

In order to prevent 'overreactions' following an attack, the Dutch government will increase the population's resilience as much as possible. It will do this by increasing the capacity to tackle (terrorist) risks, by stimulating the capacity to recover after an attack, and by enhancing the capacity for resilience and adaptation. The point of departure in this context is informing the public honestly and completely about the existing risks, while retaining objectivity and realism. The government informs citizens, for example, about how they should act

<sup>26</sup> Bulletin of Acts and Decrees 2005, no. 662



in response to suspicious packages, people or situations. The assumption is that increasing the population's resilience by offering concrete operational perspectives will reduce the chance of overreactions in the event of an actual attack. This assumption is backed up by experiences abroad (for example in the United States and the United Kingdom). In addition to increasing the population's resilience, the government is also working on providing professionals with specific information and operational perspectives. This allows professionals to act adequately in the event of an (imminent) attack and to restrict possible damaging consequences to a minimum.

As mentioned previously (in paragraph 5.3) it is crucial to exercise caution when 'mobilising the population' in the fight against terrorism. The government must continuously justify the danger of playing into terrorists' hands due to a surplus of attention. The balance is a precarious one. The point of departure is constantly that increasing resilience and providing operational perspectives to citizens also increases the population's capacity to estimate threats and this, in turn, causes the chance of excesses to decrease. It is the government's task to make objective information available in measured proportions. This reduces the fear and uncertainty on the part of society, and allows the government to enable citizens to pass a balanced judgement. This requires a certain form of trust, participation and self-reliance among citizens. Citizens who take the lead and thereby function as an example for those around them (role models) can play an important role. In the coming years the government is going to give concrete structure to its cooperation with such role models.

## 7.4 Contending with consequences

Combating the consequences of an (imminent) terrorist crisis requires close cooperation between judicial and governmental partners. The chains are complementary. After an attack has taken place:

- The resulting crisis must be dealt with. This falls within the regular agreements within the framework of crisis management. This is primarily an element of the general, governmental chain.
- Any subsequent threat must be dispelled wherever possible. This is primarily an element of the judicial chain.
- The legal order must be maintained. Any terrorists who are still present or who have fled must be detected and taken into custody and a technical investigation must be carried out locally. This is primarily an element of the judicial chain.

- Social unrest must be prevented and if necessary de-escalated. This responsibility is primarily an element of the governmental chain.

Although the chains are complementary, dilemmas can occur on the interface between both chains. It is also important that the specific tasks (either based on disaster relief or on maintaining legal order) determine who exercises authority at that moment: the mayor or the public prosecutor. Examples of these dilemmas are:

- assistance versus traces examination;
- warning the population versus the importance of being able to arrest perpetrators (and possibly being able to prevent an attack);
- a rapid recovery from the consequences of an attack versus (time-consuming) investigations.

In addition, in the event of an (imminent) terrorist crisis, the specific pros and cons must be weighed up in a number of cases regarding the deployment of emergency services and the possible risks that members of these services run. The realistic possibility of more attacks following, or of explosives and/or CBRN substances being used, makes it essential for specialist units to be used. There may also be threats or attacks at different locations, which can lead to a shortage of resources. Clarity regarding which interest is the deciding factor at which moment is therefore essential.

## 7.5 Communication after an attack

Every crisis is characterised by a range of activities to tackle the crisis and its consequences. The goal is the normalisation of society. In that context communication is a key instrument. Besides passing on facts, such communication also involves retaining or (re)gaining trust. The government must apply this point of departure and take account of the fears, questions and concerns of the public, with the term 'public' having a broad definition here, meaning both the residents of the Netherlands and (minority) groups abroad. The point of departure is always a focus on the interest of the recipient and not the personal and governmental perspective.

Adequate communication following a terrorist attack cannot exclude the negative consequences of attacks, but it can help to limit them. The general communication objective is the organisation and retention of social and individual resilience, from a national and international perspective. The initial responses and statements determine the further tone of the discussions in the Netherlands and abroad. It is also

essential that facts are exchanged quickly and adequately between the various layers of government. This in turn determines the proper timing of public and media communication. The state-wide communication strategy after a terrorist attack describes the main elements of the approach as regards communication at state level following an attack in the Netherlands. Attention is also paid to public communication with (minority) groups abroad. The NCTb is responsible for central control of the communication, in close consultation with the NCC and other government bodies (for example the Ministries of Spatial Planning, Housing and Integration (WWI) and Foreign Affairs (BZ)). Building trust is an important element of this strategy. That trust has to be the basis for the implementation of communication after a terrorist attack has taken place.

It is therefore important that the Dutch government is aware of the impact which government communication has, or can have, on its own population, specific groups within that population, groups abroad and the domestic and foreign media. The point of departure will be that the communication should be aimed, first and foremost, at reinforcing the resilience of Dutch society as a whole. The interpretation and explanation for groups and others abroad is also important. One element of the latter is public diplomacy by BZ, although non-state actors can also play a role.

## 7.6 Practice sessions

The fact that crisis situations are exceptions to normal routines means that holding practice sessions is very important. Holding frequent practice sessions on crisis management is the only way the government can prepare adequately for the consequences of possible attacks. Following the attacks in London in July 2005 there was a rapid response as regards the emergency services and the provision of information. This was partly due to the fact that simulated, identical attacks had been practised many times. Practising how to respond to a terrorist attack and the responses of the emergency and care services after a terrorist attack is the responsibility of the Minister of Security and Justice.

### Prepare – strategic commitment 2011-2015

From the above it follows that future policy initiatives by the Dutch government in the field of being prepared for the consequences of a possible attack will primarily focus in the coming years on:

- continuing attention for various aspects of government communication at national and international level;
- continual attention to practice sessions for crisis management, with a focus on cooperation and information exchange between local, national and international levels.



# 8

## Prosecute

## 8.1 Introduction

Enforcement on the basis of criminal law means detecting, prosecuting and sentencing criminal offences. In our legal system, criminal law is usually used as a punitive response after a criminal offence has been committed. In the context of counterterrorism, this function of criminal law is insufficient in a number of ways. This is linked directly to the nature of the violence and the terrorists' motives. The goal of terrorist attacks is to affect large groups of citizens. Quite often the attacks involve the suicide of the perpetrators. They do not allow themselves to be deterred by the threat of a long prison sentence or the risk of losing their own lives.

As a result, using criminal law means terrorism can not only be tackled through the detection and punishment of the perpetrators of terrorist attacks after an attack. After all, it is often too late to bring a perpetrator to justice once a serious attack has been carried out. If the danger indeed becomes a reality, the government cannot act quickly enough. In the context of tackling terrorism it is therefore inevitable that we place the accent on prevention. Action has to be taken while such terrorist crimes are being prepared.

## 8.2 Enforcement on the basis of criminal law

The possibility of prosecuting at an early stage during the preparation of terrorist acts is an essential element of the counterterrorism policy. In this context it is important, among other things, that there is an adequate provision for the exchange of information between intelligence and security services on the one hand, and the police and Public Prosecution Service on the other. Counterterrorism expertise and capacity have to be present in the criminal law chain. In addition it has to be possible to institute criminal proceedings against people for committing preparatory activities, before they actually carry out the intended terrorist attack(s). This means that broader criminal law liability has to apply as regards preparatory actions and activities which facilitate or support terrorist crimes. After all, this means that the police and Public Prosecution Service must have powers to investigate at an early stage.

In recent years people have been prosecuted in various criminal cases for committing terrorist crimes or criminal offences related to terrorism. The cases in question include those against the members of the Hofstad Group, the Piranha case, the murder of Theo van Gogh, the case against Samir A., Jérôme C. and fellow suspects, and a number of other cases.

### 8.3 Legislation

After the attacks of 11 September 2001 the question arose as to whether 'classic' criminal law was sufficiently geared to dealing with terrorist threats. Because of the fact that it has to be possible to administer criminal justice at an early stage, various changes have been proposed at national and international level, which changes have also been incorporated into legislation.

When changes were made to the criminal law to combat counterterrorism, an explicit choice was made for a systematic embedding of terrorism legislation in common law and criminal proceedings. It is precisely this embedding in existing law that offers the best guarantee, in the opinion of the Dutch government, for individual legal protection of the suspect. The principles of the proper administration of justice continue to apply in full. The incorporation into the existing frameworks has also encouraged reflection on possible deviations from the existing law, and has ensured that sound grounds are provided.

This approach means that the Netherlands does not have separate terrorism legislation, for example in the form of emergency laws. It also means that deviations from the existing frameworks are limited and sensible. The new criminalisation system places the emphasis on the criminal law liability of preparatory actions. The idea with regard to the creation of more possibilities for the application of (covert) detection powers is primarily that, in the event of minor indications of the possibility of a terrorist attack, the legal obstacles must not be so high that they prevent more detailed investigations into the correctness of those indications, naturally with due regard for the principles of proportionality and subsidiarity. This fits in with an counterterrorism policy that is strongly oriented around prevention. Measures have also been implemented to provide more opportunities, within the framework of the criminal investigation, to use additional material to substantiate the initial investigation (protected) results.

The following is a short overview of the most important legal measures put in place in the field of counterterrorism.

*The Act of 24 June 2004 amending and supplementing the Criminal Code and any other laws in connection with terrorist crimes (Bulletin of Acts, Orders and Decrees 290; Crimes of Terrorism Act [Wet terroristische misdrijven]*

The Crimes of Terrorism Act has expanded the Criminal Code to cover a number of terrorist crimes. It relates to existing or new crimes which



have been carried out with a terrorist objective and which can be punished more severely. The introduction of terrorist crimes took place during the implementation of the framework decision of the European Union of 13 June 2002 relating to counterterrorism. In addition – partly as a result of a number of criminal cases in the Netherlands which were related to terrorist activities – the criminalisation of behaviour has been expanded in the phase of preparing to commit attacks. Examples are recruitment for the jihad, and conspiracy to commit serious terrorist crimes.

*Act of 28 September 2006 amending the Code of Criminal Procedure in connection with the implementation of a regulation concerning the interrogation of protected witnesses and a number of other matters (Bulletin of Acts, Orders and Decrees 460; Protected Witnesses Act [Wet afgeschermdde getuigen])*

This Act increases the possibilities for assessing the information from the intelligence and security services, with a view to using that information in the criminal proceedings. Such information can contain relevant evidence. A procedure has been provided for the protected interrogation of an employee of a domestic or foreign intelligence service under the responsibility of an examining magistrate. The counsel for the defence in criminal cases also retains the right to question this witness. Because, ultimately, only the intelligence service can fully assess whether publishing certain information, as laid down in the official interrogation report, is prejudicial to national security or the democratic legal order, this official report is only used in the criminal proceedings if the witness consents.

*Act of 20 November 2006, containing approval of the European Treaty, that was enacted on 24 April 1986 in Strasbourg, relating to the recognition of the legal personality of international non-governmental organisations, and the introduction of some rules relating to organisations referred to on a terrorism list and other organisations whose goal or activities are contrary to public order (Bulletin of Acts, Orders and Decrees 600)*

The Act relating to approval of the NGO treaty provides a primarily civil-law regulation which bans organisations on the European Union terrorism lists. This Act also makes it possible to discontinue the activities of foreign organisations that act contrary to public order in the Netherlands.

*Act of 20 November 2006 amending the Code of Criminal Procedure, the Criminal Code and some other laws in order to broaden the possibilities to detect and prosecute terrorist crimes (Bulletin of Acts, Orders and Decrees 580; Act to broaden the possibilities for detecting and prosecuting terrorist crimes [Wet ter verruiming van de mogelijkheden tot opsporing en vervolging van terroristische misdrijven])*

This Act is based on an investigation of the legislation's effectiveness within the framework of the counterterrorism (parliamentary documents II 2003/04, 29 754, no. 1). The Act has made it possible to use special detection powers such as infiltration and observation in the event of 'indications of a terrorist crime'. This means detection activities can be started at an early stage - to prevent attacks. The Act has also created the possibility of detaining suspects of terrorist crimes on lighter grounds – without there being any serious objections against the suspect - during the first phase of the remand period. It has also made it possible to keep trial documents secret for longer periods of time.

*Act of 12 June 2009 amending the Criminal Code, the Code of Criminal Procedure and a number of related laws in connection with the criminalisation of the participation in and cooperation with terrorism training, the expansion of the possibilities for expulsion from one's profession as an additional punishment and a number of other changes*

Among other things, this Act implements obligations included in the Council of Europe Convention on the Prevention of Terrorism [Verdrag van de Raad van Europa ter voorkoming van terrorisme] (Trb. 2006, 34), for the implementation of the amended Framework Decision relating to counterterrorism [Kaderbesluit inzake terrorismebestrijding] of 28 November 2008 and the implementation of a number of motions adopted by the Lower House of the Dutch Parliament. A new Article 134a of the Criminal Code makes it a criminal offence 'to furnish oneself or another intentionally the opportunity, resources or intelligence, or to try to do such, in order to commit a terrorist crime or a crime in preparation or facilitation of a terrorist crime, or to acquire knowledge or skills to this end or impart these to another'. Article 83b of the Criminal Code designates a number of crimes as crimes in preparation or facilitation of a terrorist crime, which provides the grounds for harsher sentences.

## 8.4 Evaluation of legislation

Most existing legislation is subject to a form of evaluation. It is important to test the effect of legal measures in practice, both with a view to retaining support and guaranteeing the effectiveness of the measures. At the end of 2006, the Minister of Justice decided to commission the Research and Documentation Centre (WODC) to carry out a monitor investigation into the application in practice of new legislation to detect terrorist crimes. This investigation is reported on annually.

### Prosecute – strategic commitment 2011-2015

From the above it follows that future policy initiatives by the Dutch government in the field of prosecuting terrorism suspects will primarily focus in the coming years on:

- early criminal prosecution, where possible, to prevent terrorist acts from being prepared;
- ensuring an optimal cohesion in future counterterrorism legislation.

# 9

## Strategic choices

## 9.1 Introduction

Counterterrorism demands a varied approach, with measures and activities in a wide range of fields. The Dutch approach is characterised by the 'comprehensive approach', with a focus on tackling the phenomenon of terrorism from the very beginning through a combination of repression and prevention.

The 2011-2015 CT strategy continues to build on the existing policy, with a number of new strategic choices being made.

## 9.2 Existing policy

A strong information position is crucially important for the prevention and combating of counterterrorism, both in the Netherlands and abroad. This requires intensive cooperation between the intelligence and security services in the Netherlands and between those in the Netherlands and their foreign partners, as well as between local authorities, the police and central government departments. A proper information exchange (by systems and people) is essential for risk analyses of optimum quality. These risk analyses are used to determine, in consultation with domestic and foreign partners, whether and to what extent action actually has to be taken. The CT Information Box fulfils a crucial role in the cooperation between executive organisations, in particular as regards the harmonisation of activities and measures undertaken by the individual organisations.

In the context of counterterrorism an essential precondition is respect for citizens' rights. One example of this is observing people's privacy. The collecting, registering, making available, exchanging and using of personal data always affects citizens' privacy. Proportionality and legitimacy of the measures taken and optimal legal protection are important guarantees for citizens. In order to maintain support for CT policy, a careful balance is needed between counterterrorist measures that have to be taken, and the fundamental freedoms of citizens.

Following the recommendations by the Suyver commission, the Dutch government consistently applies the following points of departure for the development of new CT policy:

- There has to be a clear reason or need for the measure(s), and a demonstrable added value in comparison to existing measures;
- the application of the measure(s) must be closely monitored, for example with a view to proportionality;

- the application of the measure(s) must be assessed by independent evaluators and they must also be legally assessed;
- the measure(s) must be adapted and adjusted as necessary.

The comprehensive approach is intended to nip the terrorist threat in the bud at the earliest possible stage. However, the Netherlands still has to be prepared for the consequences of a possible attack. This means continuous attention has to be paid to matters such as crisis decision-making, crisis communication and the building up of expertise and experience through a continuous focus on practising possible crisis scenarios.

The publication of the CT strategy helps to create the necessary transparency in the field of counterterrorism. A realistic picture of the use and scope of the measures taken is very important for the support and confidence in the policy pursued.

Paragraph 1.3 states that the current threat primarily comes from jihadist quarters. This does not detract from the fact that the various services and bodies are also continuing to monitor other forms of ideologically motivated extremism. For the time being they are not the subject of specific CT policy.

### 9.3 Strategic choices

Section 3 indicated which themes, within the framework of counterterrorism, are a priority in the period 2011-2015. These priorities result in a number of activities for the coming years, which are intended to ensure that the Dutch government is prepared for future developments and threats. The priorities also ensue from points for improvement which have come to light during recent years in evaluations, in particular in the report entitled *Antiterrorismmaatregelen in Nederland in het eerste decennium van de 21e eeuw*, and in current CT activities and programmes.

The strategic choices represent the movement to be initiated in the coming five years within the thematic areas. The changes compared to previous years are key. This will lead to specific strategic use for the period 2011-2015, which is subdivided into four clusters: International jihadism; Migration and travel movements; Technology and innovation; and Continued development of the Surveillance and Protection system. These clusters are explained in more detail below.

## 1. International jihadism

The developments in the jihadist conflict areas and the activities of transnational jihadist networks have a major influence on the discourse and the propaganda on jihadist web fora and on the agenda of jihadists in the West. A thorough approach to international jihadism requires cohesion.

### Jihadist conflict areas

Developments in jihadist conflict areas affect the threat and power to act of transnational jihadist networks.

*Choice:*

*The Netherlands contributes internationally to preventing and neutralising any further escalation in the jihadist conflict areas. It is essential to have an insight into the developments in these regions and the resulting risks. The cohesion between foreign policy, the MOD, intelligence and national counterterrorism policy aimed at the respective regions will be further encouraged, both at policy level and locally where possible.*

### Jihadist discourse/propaganda

Terrorism consists to a large extent of propaganda. The instilling and perpetuation of fear is an essential aspect of the jihadist strategy. What is more, the propaganda is directed at recruiting and mobilising of supporters.

*Choice:*

*The Netherlands is doing its best to combat the distribution of jihadist propaganda and further restrict the effect of the jihadist discourse. This is being done by taking action against extremist websites and by encouraging the development of counter narratives in cooperation with international partners.*

## 2. Migration and travel movements

Migration and travel are inextricably linked with the openness of Dutch society. Security risks related to migration and travel movements have to be identified and tackled in an early stage.

*Choice:*

*The Dutch government is initiating policy to prevent situations whereby migration policy could be misused for terrorist purposes, or situations whereby people who have been admitted to the Netherlands could become susceptible to radicalisation. For example, steps need to be taken to prevent travel movements taking place from the Netherlands to training camps and terrorist conflict areas (and vice-versa). This requires improved border surveillance, an optimally functioning*

migration chain, security awareness among contact officials in the Netherlands and abroad, and an adequate informative position of municipalities and intelligence services regarding local developments.

### 3. Technology and innovation

The Netherlands wants to adapt in good time to the opportunities and threats which technology and innovation imply. The focus is on three issues: Internet, technological developments and CBRN/E.

#### Internet

Internet is a cross-border, many-sided network which is largely in private hands and which is developing extremely quickly.

##### *Choice:*

*The Dutch government will use strategic alliances with public and private partners in the Netherlands and abroad to monitor Internet abuse for terrorist purposes and counteract this wherever possible. The 'Notice-and-Take-Down' (NTD) code of conduct developed in the Netherlands is being promoted internationally as an example of cooperation between the government and the private sector on behalf of a safer internet.*

#### Technological developments

Technological developments are taking place very quickly. This requires alertness to the opportunities and threats, but also a discussion of possible social and ethical aspects of technology and science, including potential risks.

##### *Choice:*

*The Dutch government carries out periodical technological studies to identify new developments which are relevant for CT. These studies provide a basis for deciding which developments should be specifically supported, or used, or which should lead to changes in policy. The government will initiate fundamental research on its own initiative, as well. In that context, special attention will be paid to technological trends in civil aviation.*

#### CBRN/E

Although terrorist organisations are not (yet) expected to have access in the foreseeable future to chemical, biological, radiological and nuclear weapons, extreme alertness to the risk of such weapons is advised. In addition, technological and scientific developments in the CBRN/E field are leading to new ethical and social dilemmas and risks.



*Choice:*

*The Dutch government is cooperating intensively with partners in the Netherlands and abroad to neutralise the (potential) CBRN/E threat. In addition, developments in attack methods and/or modi operandi will provide a basis for assessing which countermeasures need to be taken.*

Continued development of the Surveillance and Protection system  
To achieve an effectively functioning Surveillance and Protection system it is important to keep developing essential elements of the system.

#### Radicalised individuals

Recent incidents and developments in the Netherlands and abroad justify extra attention being paid to the way radicalised individuals are tackled.

*Choice:*

*Early detection and a tailor-made approach to radicalised individuals is essential. The aim is to increase the alertness at local level. More research is also being done into the causes of this type of threat and into concrete types of solution, such as earlier detection and intervention.*

#### Security awareness and performance

Counterterrorism cannot be the exclusive responsibility of government organisations. A broad social awareness of security is required.

*Choice:*

*The Dutch government focuses on the continued extension of 'security awareness and performance' among professionals in the public and private sector. Time and resources will be made available for the identification of deviant behaviour and the provision of operational perspectives, which will lead to a greater degree of security awareness among professionals in CAS companies, at CBRN institutions and in the public sector.*

## 9.4 Periodical evaluation

The report entitled Counterterrorism Measures in the Netherlands in the first decade of the 21st century observes that the counterterrorism policy in the Netherlands is characterised by the capacity to learn from studies into, and evaluations of, the development and implementation of the policy. The Dutch government has already indicated that it is going to evaluate the CT policy and the implementation periodically and assess its legitimacy, effectiveness and proportionality. This periodical evaluation enables the Dutch government to learn lessons

from practice and include these insights into the formulation of new proposals.

The next comprehensive evaluation is going to take place at the end of the term of this CT strategy. In addition, the Dutch government will argue at European level in favour of an evaluation of EU counterterrorism policy.



# List of abbreviations

AIVD	General Intelligence and Security Service [ <i>Algemene Inlichtingen- en Veiligheidsdienst</i> ]
AQ	Al Qaeda
CAS	Counterterrorism Alert System
S&P	Surveillance and Protection
BZ	Ministry of Foreign Affairs
BZK	The Ministry of the Interior and Kingdom Relations
CBRN/E	Chemical, Biological, Radiological and Nuclear terrorism and/or (home-made) explosives
CT	Counterterrorism
CTC	Coordinator for Counterterrorism (in Europe)
CT Infobox	Counterterrorism Information Box
CTOV	Camera supervision in public transport
CtW	Check the Web
DNR	National Crime Squad [ <i>Dienst Nationale Recherche</i> ]
DTN	National Terrorist Threat Assessment [ <i>Dreigingsbeeld Terrorisme Nederland</i> ]
ETA	Basque Homeland and Freedom [ <i>Euskadi Ta Askatasuna</i> ]
EU	European Union
Eurodac	European Dactyloscopy - the European databank for fingerprints to support the asylum procedure
FATF	Financial Action Task Force
GMI	Communal Incident Room Infrastructure [ <i>Gemeenschappelijke Meldkamer Infrastructuur</i> ]
IND	Immigration and Naturalisation Service
IRA	Irish Republican Army
ISAF	International Security Assistance Force
ISP	Internet Service Providers
JBZ	Justice and the Interior
KLPD	Netherlands Police Agency [ <i>Korps Landelijke Politiediensten</i> ]
KMar	Royal Military Constabulary [ <i>Koninklijke Marechaussee</i> ]
LTTE	Liberation Tigers of Tamil Eelam [ <i>Tamil Tijgers</i> ]
AIVD	Military Intelligence and Security Service
NAVO	North Atlantic Treaty Organisation
NCC	National Crisis Centre
NCSS	National Cyber Security Strategy
NCTb	National Coordinator for Counterterrorism [ <i>Nationaal Coördinator Terrorismebestrijding</i> ]
NTD	Notice-and-Take-Down
OM	Public Prosecution Service
PKK	Kurdistan Workers' Party [ <i>Partiya Karkarên Kurdistan</i> ]
PNR	Passenger Name Records
SIS	Schengen Informatiesysteem

SWIFT	Society for Worldwide Interbank Financial Telecommunication
TK	Lower House of the Dutch Parliament [ <i>Tweede Kamer</i> ]
VIS	Visa Information System
UN	United Nations
Wiv 2002	Intelligence and Security Services Act [ <i>Wet op de inlichtin- gen- en Veiligheidsdiensten 2002</i> ]
WODC	Research and Documentation Centre [ <i>Wetenschappelijk Onderzoek- en Documentatiecentrum</i> ]
WWI	Housing, Neighbourhoods and Integration



# Glossary



### **Al Qaeda-inspired:**

Networks, groups, cells and individuals who are not in contact with core al Qaeda, but who are inspired by the ideology of core al Qaeda or that of groups affiliated to al Qaeda. For the Dutch situation these are primarily local networks that have their own, local dynamism and for which the other forms of al Qaeda referred to are no more than a source of inspiration.

### **Al Qaeda-affiliated:**

Networks, groups, cells and individuals that are in contact with core al Qaeda but whose operations are not controlled by core al Qaeda. This may, for example, refer to regional organisations that maintain contacts with core al Qaeda, but that otherwise make and execute their own plans.

### **Animal rights extremism:**

The name for the phenomenon whereby people or groups deliberately break the law and commit (violent) illegal acts with the aim being to improve animal rights.

### **Violent extremism:**

The name for the phenomenon whereby people or groups, in pursuit of their ideological goal, display a willingness to use violence as the ultimate consequence of their extremist way of thinking.

### **Jihad:**

The basic meaning in the Koran is 'making an effort for a deserving goal'. In the first instance it has an ethical meaning: people have the divine assignment to fight the evil within themselves. A second meaning is to work in the interest of Islam and the religious community. A third meaning is that of an armed struggle (also referred to as the violent jihad).

#### *- Jihadism:*

A movement within political Islam whose aim, based on a specific interpretation of the salafist teachings and the body of thoughts of Sayyid Qutb, is to achieve global dominance of Islam by means of an armed struggle (jihad) and the re-establishment of the Islamic State (Caliphate).

#### *- Jihadists:*

Networks, groups, cells and individuals whose aim, which is based on a specific interpretation of the salafist teachings and the body of

thoughts of Sayyid Qutb, is to achieve global dominance of Islam by means of an armed struggle (jihad) and the re-establishment of the Islamic State (Caliphate).

- *Jihadist movement:*

The entirety of networks, groups, cells and individuals whose aim, based on a specific interpretation of the salafist teachings and the body of thoughts of Sayyid Qutb, is to achieve global dominance of Islam by means of an armed struggle (jihad) and the re-establishment of the Islamic State (Caliphate).

- *Jihadist terrorism:*

Terrorism for jihadist purposes. A feature of this category of terrorism is:

- The use of the term jihad or the threat of, preparation of or perpetrating of serious violence against people, or deeds aimed at causing socially-disruptive material damage.
- The carrying out of activities which are commensurate with the aim of achieving global dominion of Islam and the re-establishment of the Islamic State.

**Core al Qaeda:**

The 'old' al Qaeda organisation around Osama Bin Laden which is still partially present in the Afghan-Pakistani border region. This also includes networks, groups, cells and individuals elsewhere in the world which are under direct operational control of the central leadership of al Qaeda.

**Local autonomous jihadist networks:**

Non-cross border partnerships which, by means of activities undertaken in the Netherlands, focus on the realisation of goals which can be related to the violent jihad.

**Local internationally oriented jihadist networks:**

Non-cross border partnerships which, by means of activities undertaken in the Netherlands, focus on the realisation of goals which can be related to the violent jihad. They maintain contacts with foreign networks, but do not cooperate with them. Via these contacts they can be influenced by jihadists abroad.

**Maghreb:**

The Arabian term for the northwestern region of Africa. It broadly covers Morocco, Algeria, Tunisia, Libya and Mauritania.

**Radical Islam (or Islamism):**

The political-religious aim, if necessary using extreme means, to create a society which is as true a reflection as possible of that which one believes is referred to in the first Islamic sources.

**Radicalisation:**

The process that can lead to violent extremism and eventually even to terrorism.

**Recruitment:**

The identifying and then controlling and manipulating of people to adopt an internalised violent extremist conviction, with the ultimate goal being to have these people participate in some way in the violent jihad.

**Terrorism:**

The threat or preparation of, or the committing of, serious violence based on ideological motives against people, or deeds aimed at causing socially-disruptive material damage with the goal being to cause social change, to frighten the population or to influence political decision-making.

**Transnational networks:**

Cross border partnerships aimed at realising goals related to the violent jihad.

