



**Tweede Kamer**  
DER STATEN-GENERAAL

# Annual report 2022

Report by the Committee for the Intelligence and Security Services  
(CIVD) on its activities in 2022

Adopted on 30 March 2023

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## **Report**

Adopted on 30 March 2023

The Committee for the Intelligence and Security Services has the honour of publishing a report on its activities in 2022.

Chair of the Committee,  
Hermans

## **1 Introduction**

The Committee for the Intelligence and Security Services (referred to below as the CIVD or the committee) is charged with parliamentary scrutiny of the classified aspects of government policy regarding the General Intelligence and Security Service (referred to below as the AIVD) and the Military Intelligence and Security Service (referred to below as the MIVD). As the information and documents provided to the committee by the relevant ministers are classified, it meets behind closed doors. The committee believes it important to account to the House of Representatives for the way it has carried out the tasks entrusted to it by the House. In this annual report the committee seeks to provide as transparent an overview as possible of its activities in 2022.

The annual report describes the remit and basis of the committee and gives a brief explanation of the various meetings and types of meetings held by the committee and of the committee's activities, and of the documents it deals with. The composition and support of the committee are also discussed, as well as the frequency of the meetings in 2022 and the attendance rate. Finally, a concise chronological overview is provided of the topics and documents, including policy documents, received and discussed by the committee in 2022. Because of the classified nature of the information, this is not an exhaustive summary of the topics discussed by the committee.

## 2 Committee's remit and basis

The committee's existence and composition is provided for in Section 7.5 of the Rules of Procedure of the House of Representatives.

In principle, the government provides information about the AIVD and the MIVD to the House of Representatives publicly, wherever possible. In practice, the information is provided to the permanent committees for the Interior and Kingdom Relations and Defence respectively. In cases where the interests of the state override the need for such information to be made public, the Intelligence and Security Services Act 2017 (referred to below as the ISS Act 2017) allows for the provision of information to the Senate and the House of Representatives to be made on a confidential basis.<sup>1</sup> In the House of Representatives such information is provided to the Committee for the Intelligence and Security Services. This means that the committee deals, in principle, with classified information only. The ISS Act 2017 also states that the committee should be informed by the relevant ministers of any irregularities (or reports of irregularities) at the AIVD or the MIVD that involve classified data.<sup>2</sup> This has not yet occurred since the ISS Act 2017 entered into force.

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<sup>1</sup> See primarily Articles 12 and 113 of the ISS Act 2017.

<sup>2</sup> *Parliamentary document*, 34 588, no. 3, p. 186 (Explanatory Memorandum).

### **3 Committee meetings and activities**

The committee meets for regular meetings, extra meetings, meetings only attended by members of the Committee, technical briefings, meetings with third parties and working visits. Reports of committee activities are classified.

#### **Regular meetings**

During the regular meetings, documents and policy documents are discussed from the Minister of the Interior and Kingdom Relations, the Minister of Defence and the Minister of Justice and Security concerning the AIVD, the MIVD and the National Coordinator for Security and Counterterrorism (referred to below as the NCTV). Classified documents from the Review Committee on the Intelligence and Security Services (referred to below as the CTIVD), the Netherlands Court of Audit, and the Review Board for the Use of Powers (referred to below as the TIB) are also discussed, including the relevant responses by the ministers in question. Finally, the committee is informed verbally and in writing about current issues, and is given presentations on specific topics or countries.

The regular meetings are generally attended by the ministers concerned (Interior and Kingdom Relations, Defence, and Justice and Security), the Secretaries-General of the Ministry of the Interior and Kingdom Relations and of the Ministry of Defence, the Director-General or Deputy Director-General of the AIVD (accompanied by no more than one AIVD official), the Director or Deputy Director of the MIVD (accompanied by no more than one MIVD official) and the NCTV or his or her deputy (accompanied by no more than one NCTV official).

#### **Additional meetings**

Additional meetings are planned on an ad hoc basis with the minister or ministers concerned, for example as a result of a specific event.

#### **Meetings only attended by members of the Committee**

These meetings are generally of a decision-making nature. For example, the committee takes decisions on its annual plan, its working procedure, its annual report and on specific topics dealt with in the regular meetings. The committee also uses these meetings to hold preliminary discussions, as desired, on the regular meetings. Finally, the committee takes decisions on dealing with letters from third parties, on requests to consult the committee's archives (possibly in consultation with the AIVD, MIVD and/or the NCTV) and on the hosting of delegations from abroad.

#### **Technical briefings**

Technical briefings are intended to provide the committee with a clarification of (technical) aspects of a certain theme or dossier. Generally speaking this concerns themes which the committee wishes to examine in more detail because it considers more knowledge of the theme in question necessary for its scrutinising role. The briefings are organised by AIVD, MIVD and/or NCTV staff. During such briefings the

committee members are given the opportunity to ask the speakers technical and politically neutral questions.

### **Meetings with third parties**

Apart from meetings and technical briefings, the committee holds meetings with the CTIVD, the Netherlands Court of Audit, and the TIB. Topics of discussion include the classified appendices to CTIVD review reports, classified reports from the Netherlands Court of Audit, and classified letters from the TIB.

### **Working visits**

The committee aims to pay several working visits to the AIVD, MIVD and the NCTV every year. The committee decides which themes a working visit should focus on. In addition to working visits by the entire committee, committee members also have the option of paying working visits in an individual capacity.

## **4 Committee meeting documents**

This section provides an overview of the various policy and other documents dealt with by the committee.

### **4.1 AIVD/MIVD budget and accountability information**

See the appendix for details of the committee's schedule for dealing with the budgetary and accountability documents described below.

#### **Integrated Intelligence and Security Order**

The Integrated Intelligence and Security Order describes various parties' need for intelligence. The Prime Minister, the Minister of the Interior and Kingdom Relations, and the Minister of Defence establish this for a period of four years, in consultation with the Minister of Justice and Security and the Minister of Foreign Affairs. The Integrated Intelligence and Security Order is evaluated every year and amended as desired. The Integrated Intelligence and Security Order comprises a public section, which is published in the Government Gazette of the Kingdom of the Netherlands, and a confidential section. The confidential section, which is discussed by the committee, consists of the investigation objectives for the next four years, as well as the division of tasks between the AIVD and the MIVD. The committee also deals with classified evaluations of the Integrated Intelligence and Security Order.

#### **Budget letters**

The committee receives the budget letters for the AIVD and the MIVD in September, at the same time the House of Representatives receives the (public) budgets from the Ministry of the Interior and Kingdom Relations and the Ministry of Defence. These letters deal with the classified aspects of the public budgets, focusing on the budget breakdown for the various sections of the AIVD and the MIVD and on the trends that will be of relevance to national security in the forthcoming year. The figures are clarified with the help of an appended graphic representation.

#### **Annual plans**

The Minister of the Interior and Kingdom Relations and the Minister of Defence draw up the annual plans for the AIVD and the MIVD respectively on the basis of the budgets and the Integrated Intelligence and Security Order. The annual plans contain the investigation plans for the coming year and the objectives with respect to organisational developments. Due to their content the annual plans are classified. However, they are published in general terms and offered to the House of Representatives (more specifically, to the permanent committees on the Interior and Kingdom Relations, and Defence). The classified annual plans are discussed by the CIVD.

### **Progress reports**

The AIVD and the MIVD issue progress reports three times a year, one of which is the classified annual report (see below). In these classified progress reports the AIVD and the MIVD account for the progress of their operational activities, as established in the annual plans, for the period concerned.

### **Annual reports**

Before 1 May of each year, the AIVD and the MIVD simultaneously provide the Senate and the House of Representatives with a public report on how they performed their tasks in the previous calendar year. The report gives a complete overview, in accordance with the ISS Act 2017, of the areas on which the service has focused its activities in the past year and is doing so in the current year.

The public annual report makes no reference to information that reveals the resources used by the security services in specific cases, the confidential resources used by the security services, and the services' current knowledge level.<sup>3</sup> The ministers can provide such details confidentially to the Senate and/or the House of Representatives. In practice, this means that the Minister of the Interior and Kingdom Relations and the Minister of Defence provide a classified annual report for both security services to the CIVD.

## **4.2 Other meeting documents**

### **Terrorist Threat Assessment Netherlands**

The committee also examines the classified version of the Terrorist Threat Assessment Netherlands (referred to below as DTN) which is drawn up by the NCTV. The DTN is a periodical analysis of radicalisation, extremism and the terrorist threat facing the Netherlands and is based on information from, among other sources, the AIVD and the MIVD. The DTN is published two to three times a year. The Permanent Parliamentary Committee on Justice and Security deals with the public version of the DTN.

### **The Cyber Security Assessment Netherlands**

The committee also deals with the classified version of the Cyber Security Assessment Netherlands (referred to below as CSBN). The NCTV publishes the CSBN once a year to provide an insight into the digital threat, the interests that may be affected as a result, the level of resilience and the risks in relation to cybersecurity. It also focuses on national security. The assessment is drawn up in cooperation with, among others, the National Cyber Security Centre (NCSC), the AIVD and the MIVD. The Permanent Parliamentary Committee on Digital Affairs deals with the public version of the CSBN.

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<sup>3</sup> Article 12 of the ISS Act 2017.

### **Threat Assessment State-sponsored Actors (TASA)**

In principle, the AIVD and the MIVD draw up the Threat Assessment State-sponsored Actors (TASA) once every four years. It represents the security services' joint vision of threats to the Netherlands' national security interests. The committee examined the TASA for the first time in 2020. The public TASA by the AIVD, MIVD and NCTV is dealt with by the Permanent Parliamentary Committee on the Interior and Kingdom Relations.

### **Letters on current issues**

Before every regular meeting the committee receives a letter on current issues the AIVD and the MIVD are facing from the Minister of the Interior and Kingdom Relations and the Minister of Defence. The AIVD and the MIVD use the letters to inform the committee about current events and developments.

### **Letters from ministers containing supplementary information**

The committee can ask the responsible minister(s) to provide additional information on specific topics or investigations. The responsible ministers can respond to these requests verbally or in writing. They can also send letters to the committee of their own volition. The ministers also sometimes fulfil public undertakings by letter.<sup>4</sup> All letters from ministers to the committee are placed on the agendas of regular meetings.

### **Documents from the CTIVD, TIB and the Netherlands Court of Audit**

Some documents from the CTIVD, the TIB or the Netherlands Court of Audit are classified. These include classified reports, classified appendices to public reports and classified letters. The committee discusses this type of document at two junctures:

- In a meeting with the document's author: The CTIVD, TIB, or Netherlands Court of Audit then clarifies the document and answers any questions the committee might have. These meetings take place in the presence of the ministers and representatives from the AIVD, the MIVD and the NCTV.
- In a regular meeting: The committee questions the responsible minister(s) about the document. The CTIVD, TIB, or Netherlands Court of Audit are not present at this meeting.

### **Letters from third parties**

Finally, the committee receives letters from citizens and institutions containing questions, complaints, or comments concerning the AIVD and the MIVD. The committee decides in meetings only attended by members of the committee what action is to be taken regarding these letters.

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<sup>4</sup> Records of undertakings by ministers are kept by the clerk in a list of undertakings that is included on the agenda of every regular meeting.

## 5 Composition and support to the Committee

In accordance with the Rules of Procedure of the House of Representatives,<sup>5</sup> the committee consists of the chairs of the five largest parliamentary groups. On the recommendation of the committee, the House of Representatives may enlarge the committee with up to two more chairs of parliamentary groups. The Rules of Procedure also state that, in the event of any chair of a parliamentary group renouncing their membership of the committee, the House of Representatives may decide, on the recommendation of the committee, to appoint another parliamentary group chair as a member. Lastly, the Rules of Procedure stipulate that a member of the committee cannot temporarily also be a minister, given that a minister or state secretary may also fulfil the role of chair of a parliamentary group in the context of an outgoing parliament. As it is undesirable for a member of the CIVD essentially to be accountable to him or herself in this situation, the Rules of Procedure state that the committee should replace the chair of the parliamentary group in question (temporarily) with a fellow member of the parliamentary group.

Taking account of the above provisions, the committee members at the beginning of 2022 were Sophie Hermans (VVD), chair of the committee, Jan Paternotte (D66)<sup>6</sup>, Geert Wilders (PVV) and Pieter Heerma (CDA). Because committee member Lilian Marijnissen (SP) had indicated, following the elections for the House of Representatives in 2021, that she did not wish to be member of the CIVD, the committee decided to nominate Lilianne Ploumen (PvdA) as the fifth member.<sup>7</sup>

On 8 March 2022 the House of Representatives approved the appointment of Lilianne Ploumen as a member of the committee.<sup>8</sup> Due to her departure from the House of Representatives on 21 April 2022, the committee nominated her successor, Attje Kuiken (PvdA).<sup>9</sup> On 8 March 2022, the House of Representatives approved the appointment of Attje Kuiken as a member of the committee.<sup>10</sup>

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<sup>5</sup> See Section 7.5 of the Rules of Procedure.

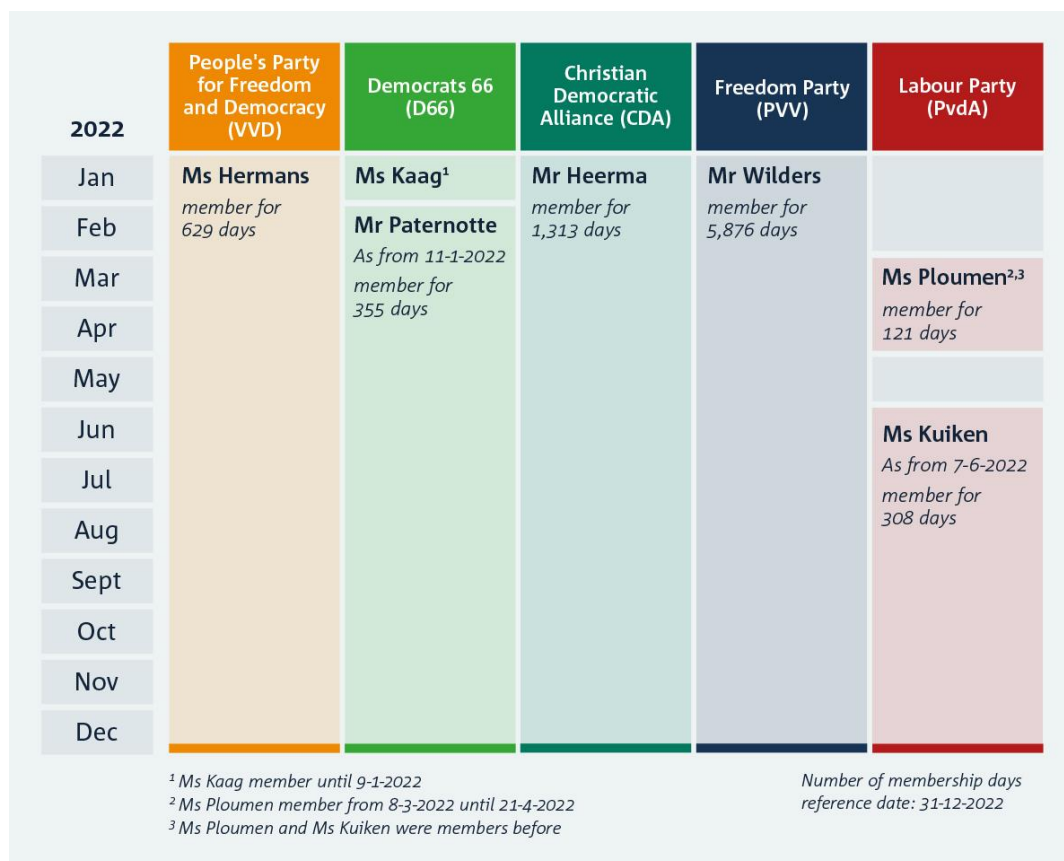
<sup>6</sup> Jan Paternotte succeeded Sigrid Kaag as chair of the D66 parliamentary group on 11 January 2022. Formally, Sigrid Kaag was therefore still a member of the CIVD until 10 January, but no committee activities took place in 2022 before that date.

<sup>7</sup> Parliamentary document 36 044, no. 1.

<sup>8</sup> Proceedings II 2021/22, no. 57, item 9.

<sup>9</sup> Parliamentary document 36 044, no. 2.

<sup>10</sup> Proceedings II 2021/22, no. 88, item 7.



The committee is supported by its own staff. The staff members are a clerk (also senior advisor), an advisor, an assistant, a knowledge coordinator (since September 2022), an information specialist and two members of staff of the Parliamentary Reporting Department (referred to below as: DVR) (since May 2022). The clerk manages the committee staff members and is responsible, together with the advisor, for the annotations for and advice to the committee. The clerk and the advisor of the CIVD are present at all activities. Depending on the nature of the activity, other committee staff members can participate (except for the information specialist).

The responsibilities of the assistant to the committee include receiving, registering, and sending documents, including postal documents, and archiving them. The assistant also plans the meetings and sends invitations to the committee members, ministers and other parties to participate in the various committee activities.

The knowledge coordinator and the information specialist both work for the committee on a part-time basis. The knowledge coordinator helps with the annotations and recommendations relating to budgetary and accountability documents. For every regular meeting the information specialist draws up an overview for the committee of news reports concerning intelligence and security services in the Netherlands and abroad.

Lastly, DVR staff members are responsible for the reporting of the regular meetings. The reports of other activities, such as extra meetings and technical briefings, are

drawn up by the clerk and/or the advisor. All members of staff, except for the information specialist, are in possession of the highest-level security clearance. For this reason the information specialist does not have any access to classified documents and does not participate in committee activities.

## **6 Meeting frequency and rate of attendance**

The committee held meetings 55 times in 2022. This is a substantial increase compared to 2021, when the committee met 21 times. This increase was largely due to the extra technical briefings regarding the situation in Ukraine. The committee also went on four working visits. The average rate of attendance at the meetings in 2022 was 83%. This is almost identical to 2021, when the average percentage was 84%.

Various overviews of the CIVD's activities and the rates of attendance are included in graphs in the appendix.

## **7 Chronological overview of topics and documents, including policy documents, discussed by the Committee**

### **January 2022**

*27 January 2022: Meeting only attended by members of the committee*

During this meeting, the committee adopted its annual plan for 2022 and discussed the committee's procedures and composition.

*27 January 2022: Regular meeting*

On 27 January 2022, the committee held its first regular meeting of 2022 with the Ministers of the Interior and Kingdom Relations, Defence, and Justice and Security.

The committee requested and received a briefing on tensions in the border area between Russia and Ukraine. A discussion was held about Russia's possible intentions and the probability of Russia invading Ukraine. The committee also talked with the ministers about the operational problems relating to the ISS Act 2017, and the state of affairs as regards its revision.<sup>11</sup>

Other items on the agenda included the updated Integrated Intelligence and Security Order 2022, and the explicit or otherwise inclusion of a particular country in the Order. This subject had been previously discussed in September 2021, resulting in the committee's request for a new letter.<sup>12</sup> This new letter stated that the AIVD was carrying out a scan investigation of the country in question and that the outcome would determine whether an instruction would follow for it to be included in the Integrated Intelligence and Security Order. The committee once again expressed its view regarding the inclusion of the country in question in the Integrated Intelligence and Security Order, and stated that it would like this issue to be placed on the agenda again after the scan investigation had been completed.

During its review of the AIVD's annual plan the committee asked questions about the developments in Afghanistan and Syria and the possible consequences of these for the threat of jihadist terrorism, about the access to intelligence of the AIVD with regard to various threats and about civil aviation. When discussing the letter on current issues from the AIVD, questions were asked about an acknowledged cyber operation.

Due to a lack of time the consideration of the annual plan and the letter on current issues from the MIVD was deferred until the next regular meeting.

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<sup>11</sup> This subject was also discussed at various junctures during 2021. See the CIVD 2021 annual report (Parliamentary document 36 134, no. 1).

<sup>12</sup> See also the CIVD 2021 annual report, p. 15-16 (Parliamentary document 36 134, no. 1).

## **February 2022**

### *7 February 2022: Working visit*

The committee paid its first working visit of 2022 to the MIVD, during which it carried out a more in-depth assessment of two countries of interest.

### *16 February 2022: Meeting only attended by members of the committee*

The committee talked about the committee's composition and the upcoming committee activities.

### *16 February 2022: Technical briefing*

At the committee's request, the AIVD held a technical briefing about digital security. This involved a discussion of technological trends and developments and the resulting risks, risks emanating from specific countries, and possible measures for increasing resilience to digital threats.

### *24 February 2022: Extra meeting*

As a consequence of the Russian invasion of Ukraine, the committee decided to change the scheduled regular meeting into an extra meeting about (solely) the situation in Ukraine. The committee discussed the current situation in Ukraine and the potential consequences for the Netherlands with ministers and the AIVD, MIVD and NCTV.

## **March 2022**

### *17 March 2022: Meeting only attended by members of the committee*

In this meeting, the committee decided on a request for a meeting with a similar committee from a different Parliament from abroad. The committee also talked about its planned activities in the near future, for example about the working visit in April.

### *17 March 2022: Meeting with the CTIVD*

The committee talked with the CTIVD about two subjects, namely the problems identified by the AIVD and MIVD in the ISS Act 2017 and the classified appendix to the CTIVD report 74.<sup>13</sup> The committee asked questions, for example, about the CTIVD's findings with respect to the acquisition of tools with which to gather *Open Source Intelligence* (OSINT).

### *17 March 2022: Regular meeting*

An interim update of the situation in Ukraine was on the agenda of the regular meeting. Another discussion also took place regarding the problems identified by the AIVD and MIVD in the ISS Act. The committee also dealt with the aforementioned confidential appendix to CTIVD report number 74. The committee members questioned the ministers on the assessment framework to be developed for the use of tools for OSINT gathering. Besides that, the committee showed specific interest in the role which the country of origin of the tools plays as regards their use.

When discussing the MIVD's annual plan the committee asked about the service's access to intelligence with regard to a country's nuclear capacities. When dealing with

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<sup>13</sup> Parliamentary document 29 924, no. 223 (appendices).

the letters on current issues from the MIVD – of which a few had been deferred from previous meetings – the committee focused explicitly on a case whereby a scientist affiliated to a country of interest tried to acquire knowledge from a Dutch university. During the discussion of the letters on current issues from the AIVD the committee asked questions about, for example, an extremist group and the threat posed by the use of 3D printed weapons. Supplementary to the letter on current issues, the Director-General of the AIVD reported that the service is carrying out an exploratory investigation into the question of whether the AIVD can play a role if organised crime has a detrimental effect on the democratic legal order or national security.

#### *30 March 2022: Extra meeting*

Following a letter from the Ministers of the Interior and Kingdom Relations and Defence about the expulsion of acknowledged Russian intelligence officers<sup>14</sup> the committee decided to schedule an extra meeting. The committee focused on the way the decision-making had come about (including any coordination with other countries), the insight into the threat posed by the intelligence officers and the predicted effects of the measure.

#### *Technical briefings on the Russia and Ukraine situation*

Further to the developments in Ukraine, the committee decided that it wished to receive weekly briefings on the most recent developments on this subject, insofar as this could not be done publicly. Five of these technical briefings took place in March on 3, 7, 14, 21 and 28 March. During these briefings, the committee paid particular interest to Russia's intentions, the AIVD's and MIVD's access to intelligence, and the societal circumstances in Russia and Ukraine.

### **April 2022**

#### *7 April 2022: Meeting only attended by members of the committee*

During this meeting, the committee focused extensively on its procedures. For example, agreements were made about the method for taking decisions outside of meetings and there was a discussion about the wish to support the DVR as regards reporting on the CIVD meetings. The committee also took decisions on possible working visits in the near future.

#### *7 April 2022: Meeting with the TIB*

The committee talked with the TIB about the problems that the AIVD and MIVD are experiencing with regard to the ISS Act 2017, insofar as this could not be done in public. In that context the temporary legislation relating to AIVD and MIVD investigations into countries with offensive cyber programmes was also discussed.<sup>15</sup>

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<sup>14</sup> See also the public letter to parliament dated 29 March 2022 from the Minister of Foreign Affairs (Parliamentary document 35 925 V, no. 86). The committee discussed a classified letter on this subject.

<sup>15</sup> This legislation was submitted for consultation by the Ministers of the Interior and Kingdom Relations and Defence on 1 April 2022. The bill itself was submitted to the Dutch House of Representatives on 1 December 2022 (Parliamentary document 36 263).

#### *7 April 2022: Regular meeting*

During this regular meeting, the committee received an update on the situation in Ukraine. The committee was informed about, for example, a disruptive operation carried out by the AIVD. This concerned a Russian citizen who travelled under a Brazilian identity and wanted to do an internship at the International Criminal Court. The Immigration and Naturalisation Service (IND) and the International Criminal Court were able to take action based on an official report by the AIVD.<sup>16</sup>

After that, the committee again talked about the problems the AIVD and MIVD experience with regard to the ISS Act, partly as a result of the discussion with the TIB that same morning. The committee presented the ministers with a number of the TIB's experiences and asked the ministers critical questions to ascertain their views on these themes.

During the consideration of the letter on current issues from the MIVD the committee focused on the action of Russian paramilitaries and the leadership status of ISIS following the death of the most senior ISIS leader.<sup>17</sup> In the context of the letter on current issues from the AIVD, the committee asked questions about the AIVD's insight into jihadists whose Dutch nationality had been revoked, the actions of the government in response to Wahhabi Salafism in education institutions, what the AIVD knows about threats of espionage posed by a particular country and the possible undesirable influencing of diaspora in relation to the Turkish parliamentary and presidential elections of 2023. Once the questions had been answered, the committee asked the ministers to provide a clarification at a future meeting of the work being done by central government and local government bodies to counteract spread of Salafism in schools. When it made this request the committee emphasised that it did not wish to deal with information on this issue if that could also be discussed in public.

#### *19 April 2022: Meeting only attended by members of the committee*

The committee took decisions about its upcoming committee activities. Due to the May recess the committee decided not to schedule the technical briefings on the situation relating to Ukraine and Russia in the coming weeks, but to ask the ministers for written updates.

#### *Technical briefings on the Russia and Ukraine situation*

In addition to the update during the regular meeting of 7 April, the committee met on 11 and 19 April for a technical briefing about the situation regarding Russia and Ukraine. The Director-General of the AIVD and Director of the MIVD provided a clarification of the scenarios that both services had developed about the course of the conflict, including the factors which affected these scenarios possibly coming to pass.

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<sup>16</sup> The press release of 16 June 2022 can be found at:

<https://www.rijksoverheid.nl/actueel/nieuws/2022/06/16/aivd-verstoort-activiteiten-russische-inlichtingenofficier-richting-internationaal-strafhof>.

<sup>17</sup> In February 2022 the US announced that the then leader of ISIS, Abu Ibrahim al-Hashimi al-Qureishi, had died during an operation by the American military. The press release can be found at: <https://www.whitehouse.gov/briefing-room/statements-releases/2022/02/03/statement-by-president-joe-biden-3/>.

At the committee's request, there was also a discussion about alleged human rights violations in the conflict area.

## **May 2022**

### *23 May 2022: Meeting only attended by members of the committee*

Following the meeting of 7 April, the committee decided, on 23 May, that the reports of the regular meetings should be drawn up by (vetted) DVR staff from now on. This will give the clerk and the advisor more time for in-depth preparation of, and support during, the meetings.

The committee's composition was discussed in the light of the departure of Lilianne Ploumen from the House of Representatives. The committee also decided to hold the technical briefings about the Ukraine and Russia situation every two weeks from now on, rather than every week. The committee stressed once again that these technical briefings should only deal with classified information.

### *23 May 2022: Regular meeting*

During the consideration of the 56th Terrorist Threat Assessment Netherlands (DTN56) the committee emphasised that it only wished to deal with classified aspects of the assessment. The committee also asked for an explanation of the impression that fewer classified passages had been included in this DTN than in previous DTNs. Moreover, the committee asked questions about, among other things, the potential threat posed by jihadists who have left the Netherlands, the freedom of movement of a terrorist organisation in a particular country<sup>18</sup>, the threat posed by former detainees in Terrorist Detention Units (TA) or penal institutions and the level of threat posed by accelerationism compared to other terrorist threats. Lastly, the committee asked for an indication of whether the AIVD and MIVD have sufficient capacity for their work in relation to various types of terrorist threat. With respect to two issues the committee asked the ministers to provide a more detailed clarification at a subsequent meeting.

At the committee's request, the AIVD gave a briefing on a particular country. The AIVD provided an insight into the foreign policy of the country in question, the development of its cybercapacities and the possible undesirable influencing of its diaspora. The committee asked questions about the political intentions of the country in question and the AIVD's and MIVD's access to intelligence in the Netherlands and in the country in question.

With regard to the letter on current issues from the MIVD, committee members asked questions about the MIVD's follow-up investigation into a large-scale cyberattack and the activities of the Wagner Group. In connection with the letter on current issues from the AIVD the committee focused on a counterintelligence operation and on organised crime in relation to a violation of the democratic legal order or a national security risk.

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<sup>18</sup> This subject was discussed in various committee meetings in 2019, 2020 and 2021. See also the annual reports by the committee for 2019 (Parliamentary document 35 309, no. 1) and 2020 (Parliamentary document 35 810, no. 1) and 2021 (Parliamentary document 36 134, no. 1).

Lastly, the committee also received an update on the situation regarding Ukraine and Russia.

#### *Technical briefings on the Russia and Ukraine situation*

In addition to the aforementioned update during the regular meeting of 23 May, technical briefings on the Russia and Ukraine situation were also held on 10, 16 and 30 May. During these briefings, the committee focused on the AIVD's and MIVD's current scenarios. In addition, the NCTV provided clarification of the consequences of hybrid warfare for Dutch national security. Lastly, committee members asked questions about the relationship between Russia and China, and the effectiveness of the use of drones as weapons.

### **June 2022**

#### *2 June 2022: Meeting only attended by members of the committee*

The committee also decided to schedule future meetings with only the committee members the day before regular meetings, rather than immediately prior, in order to create more time for the regular meeting.

#### *2 June 2022: Meeting with the Netherlands Court of Audit*

During the meeting with the Netherlands Court of Audit, the committee dealt with the classified letters that accompany the accountability audits sent to the Ministry of the Interior and Kingdom Relations and the Ministry of Defence. During the meeting, the president of the Netherlands Court of Audit expressed concern about implementation, such as the services' capability under the ISS Act 2017 and the pressure on several specific departments of the services. The president also provided a clarification of identified operational irregularities.

#### *2 June 2022: Regular meeting*

During this regular meeting the Ministers of Defence and Justice and Security returned to two issues, at the committee's request, which had been discussed within the framework of the DTN56 during the meeting of 23 May.

During the consideration of the AIVD's annual report, the committee asked about the AIVD's capacity, for example on the basis of the findings of the Netherlands Court of Audit in relation to this theme. The committee asked the ministers for their views on these findings. The committee also focused on four countries referred to in the annual report. Lastly, the committee members remarked that they found the annual report difficult to read. As far as the committee was concerned the document still provided insufficient insight into which objectives were not being achieved, what the reason was for not achieving these objectives and what could be done to redress this. It was agreed that the committee's needs would be reassessed, as well as how they could be fulfilled.

During the consideration of the MIVD's annual report the committee asked questions about the developments in the investigations into Russia and another country. The Director of the MIVD provided an additional clarification of staff-related developments at the MIVD and the projects on which extra resources had been spent in 2021.

Further to the letters on current issues, questions were asked about a specific case and the consequences of the expulsion of seventeen Russian intelligence officers, specifically in the field of the counterintelligence threat posed by Russia.<sup>19</sup>

Lastly, the committee received an update on the situation regarding Ukraine and Russia. The committee paid particular attention to the nuclear threat posed by Russia.

*13 June 2022: Working visit*

The committee paid a working visit to the AIVD regarding jihadism.

*30 June 2022: Working visit*

The committee paid a working visit to the MIVD regarding economic security.

*Technical briefings on the Russia and Ukraine situation*

In addition to the update during the regular meeting of 2 June the committee met on 13 June for a technical briefing about the developments with respect to Russia and Ukraine. The committee enquired about the role of Belarus, (covert) interference from Russia and the effects of Western arms supplies.

**July 2022**

*6 July 2022: Meeting only attended by members of the committee*

The committee reflected on the debate on matters relating to intelligence and security affairs of the Permanent Parliamentary Committee on the Interior and Kingdom Relations, which included a consideration of the CIVD 2021 annual report.<sup>20</sup> The committee also talked about its upcoming working visits and decided that it would no longer hold separate technical briefings about Ukraine on a structural basis, but would include updates on the situation as a fixed item on the agenda of the regular meetings.

*6 July 2022: Regular meeting*

As regards the update on the situation with respect to Russia and Ukraine, the committee was particularly interested in Russian intentions for the occupied areas, the military strengths of both countries and the situation near the Black Sea, partly in relation to the grain agreement.

Regarding the first progress report by the AIVD the committee asked a number of questions about the distribution of its capacity. These questions related, for example, to the consequences of the conflict in Ukraine on this distribution and the resulting re-prioritisation. The committee also asked questions about the service's findings in relation to anti-government activism, right wing extremism, various issues relating to the threat posed by China, the developments in access to intelligence with regard to particular countries and organised crime in relation to a violation of the democratic legal order or a national security risk. The Minister of the Interior and Kingdom Relations and the Minister of Defence agreed to inform the committee at a later moment about the framework used for redistributing capacity (within the services), and

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<sup>19</sup> More information can be found in the details of the meeting of 30 March 2022.

<sup>20</sup> The report on the committee's debate can be found in parliamentary document 30 977, no. 164.

the Minister of the Interior and Kingdom Relations promised to give a briefing on the AIVD's counterterrorism strategy.

During the consideration of the MIVD's first progress report, the committee also asked questions about the consequences of the conflict in Ukraine for capacity choices and about developments in the threat posed by China.

At the committee's request, the AIVD and MIVD gave a briefing on international cooperation. A clarification was given of the assessment memoranda<sup>21</sup> relating to cooperation with foreign intelligence and security services and the participation in international partnerships. Following questions by the committee the ministers promised that they would return to the question at a later date regarding with which countries cooperation is taking place and why.

## **September 2022**

*14 September 2022: Meeting only attended by members of the committee*

The committee discussed a number of commitments that were still outstanding. In addition, the committee repeated its desire that only classified information should be discussed with respect to the Russia and Ukraine situation.

*15 September 2022: Meeting with the CTIVD*

The committee talked with the CTIVD about the problems in the ISS Act 2017 and the more stringent supervision of the execution of cable interception operations by the AIVD and MIVD.<sup>22</sup> The committee also talked with the CTIVD about the processing of a complaint relating to how the AIVD and MIVD deal with bulk data sets.<sup>23</sup>

*15 September 2022: Regular meeting*

In addition to the update on the situation in Ukraine, the committee also considered a number of letters they had requested. One of these was a letter about the previously discussed 'Iran case' and about the murder of Ahmad Nissi in 2017.<sup>24</sup> In connection with this meeting, the committee also received, further to an article in the NRC newspaper, a letter about the threat of people who have been conclusively convicted of

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<sup>21</sup> Assessment memoranda are, put briefly, written assessments of the cooperation with existing and potential foreign services. They contain an opinion on how far the cooperation with a foreign service should be allowed to go. They take account of the importance of the partnership versus the associated risks.

<sup>22</sup> See also the public parliamentary documents on this subject: Parliamentary document 29 924, no. 230 and the Appendix to Proceedings 2, 2021-2022, no. 3070.

<sup>23</sup> A letter from the government as a result of the processing of this complaint can be found in parliamentary document 29 924, no. 232.

<sup>24</sup> The committee discussed this case on various occasions in 2018 and in 2021. More information can be found in the CIVD Annual Report for 2018 (parliamentary document 35 185, no. 1) and the CIVD Annual Report for 2021 (parliamentary document 36 134, no. 1).

offences with terrorist intent whose passports have been withdrawn and who are staying in the Netherlands.<sup>25</sup>

During the consideration of the letters on current issues from the AIVD and MIVD the committee focused on various issues relating to China. The committee also asked about the policy-related consequences of certain intelligence used. Furthermore, the committee focused on the sharing of responsibility between two ministers in terms of the far-reaching cooperation between the AIVD and MIVD. During the meeting, the committee received more detailed information about media reports on requests to inspect information by journalists.

*28 September 2022: Meeting only attended by members of the committee*

During this meeting, the committee discussed two outstanding commitments. It also talked about its wishes with respect to the consideration of the Integrated Intelligence and Security Order and reflected on a knowledge exchange session with a similar committee of a different Parliament.

*29 September 2022: Meeting with the Nederlandse Court of Audit*

The committee asked the Netherlands Court of Audit about its opinion on the budget letters concerning the AIVD and MIVD. During the meeting, consideration was given to matters of staffing at the services as well as implementation issues identified by the Court of Audit. Furthermore, the degree of specificity of the budget letters was discussed.

*29 September 2022: Regular meeting*

During the update on developments in Russia and Ukraine the committee asked questions about the explosions involving the Nord Stream 1 and 2 gas pipelines, the effects of the mobilisation in Russia and the possible annexation of Ukrainian regions by Russia.

During the consideration of the budget letters concerning the MIVD and AIVD the committee focused on the difference between the MIVD's envisaged and actual number of staff, the cooperation between the AIVD and the MIVD, the resources allocated to cyber and the secret expenditure. With respect to the latter, the committee asked the ministers to provide a more detailed clarification at a subsequent meeting.

With regard to the letter on current issues from the MIVD a committee member asked questions about servicemen and women who make right-wing extremist comments. During the letter on current issues from the AIVD the committee focused on an attack by a state actor as well as possible undesirable influencing of diaspora in relation to the Turkish parliamentary and presidential elections in 2023. With regard to the CSBN 2022 the committee asked about the ratio between the public and classified passages and the corresponding perspective for action.

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<sup>25</sup> NRC.nl, 27 July 2022, 'Vier grote steden waarschuwen voor jihadisten die zonder paspoort in Nederland blijven').

Lastly, the committee discussed the outcome of the scan investigation into a particular country announced in January.<sup>26</sup>

#### *Technical briefings on the Russia and Ukraine situation*

In addition to the updates in the regular meetings, the committee held a technical briefing on 7 September about the developments in Russia and Ukraine. The committee enquired about Russia's military strength, covert interference, the development of the access to intelligence of the services and developments in the use of weapons by Russia.

### **October 2022**

#### *6 October 2022: Extra meeting*

During this extra meeting, the committee spoke with the three ministers about the explosions which affected Nord Stream 1 and 2 and the scenarios regarding (nuclear) escalation of the conflict between Russia and Ukraine. The committee focused specifically on the possible causes of the Nord Stream 1 and 2 explosions, the degree of probability of a nuclear threat occurring and the government's preparations for a possible nuclear threat to the Netherlands as a consequence of the conflict in Ukraine. The committee also asked about the intelligence-related efforts being made to protect the energy infrastructure at sea and the level of interest that Russian intelligence services might have in the Dutch energy infrastructure.

#### *13 October 2022: Meeting only attended by members of the committee*

In this meeting, the committee discussed in detail its information requirements with respect to the services' budgetary and accountability documents in order to ensure optimal fulfilment of its scrutinising role. The committee decided to communicate its wishes to the ministers and the AIVD and MIVD.

#### *13 October 2022: Meeting with the TIB*

Given that, during its previous meeting with the TIB<sup>27</sup>, the committee had insufficient time to consider the secret aspects of the TIB's annual report, the committee arranged a new meeting. The committee asked questions about, among other things, the way in which the TIB had carried out its supervision in conjunction with requests for cable interception and the difference between the number of rejected requests from the AIVD and MIVD.

#### *19 October 2022: Meeting only attended by members of the committee*

The committee adopted a memorandum with a description of its information requirement with respect to the budgetary and accountability documents, which were to be shared and discussed with the services and the ministers.

#### *20 October 2022: Regular meeting*

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<sup>26</sup> See also the regular meeting of 27 January 2022.

<sup>27</sup> This meeting took place on 7 April 2022.

During the update on the Russia and Ukraine situation, the committee dealt with two letters it had requested. The committee asked questions about the preparations for any nuclear threat as a consequence of the conflict in Ukraine and asked the government to keep the committee up-to-date on the situation. Following this discussion the Director of the MIVD provided clarification of the current estimate of the nuclear threat posed by Russia. The committee also asked questions about the Russian attacks on Ukrainian energy infrastructure and the effects of drone attacks.

The committee then dealt with a letter it had requested about a specific case. Following a letter from the Ministers of the Interior and Kingdom Relations and Defence about the Integrated Intelligence and Security Order the committee talked about how it is going to fulfil its scrutinising role of the Integrated Intelligence and Security Order for the period 2023-2026. The committee indicated that it wanted to be able to influence the objectives stated in the Integrated Intelligence and Security Order.

## **November 2022**

### *2 November 2022: Meeting only attended by members of the committee*

The committee discussed the upcoming technical briefing and regular meeting.

### *3 November 2022: Technical briefing<sup>28</sup>*

This consultation was a result of the committee's memorandum in which it described its information requirement with regard to the budgetary and accountability documents.<sup>29</sup> The committee exchanged ideas with the Director-General of the AIVD and the Director of the MIVD about this information requirement and gave them an opportunity to explain how they might fulfil this requirement.

### *3 November 2022: Regular meeting*

During the update on the situation regarding Russia and Ukraine, the committee asked about the military strengths of both countries, the effects of the mobilisation and the influence of the Wagner Group and also asked for a prediction about how the conflict was going to proceed in the coming months.

The committee also dealt with two letters it had previously requested, about the process of drafting the Integrated Intelligence and Security Order and about the AIVD's and MIVD's secret expenditure.<sup>30</sup> In addition, the committee asked questions as a

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<sup>28</sup> Strictly speaking, this was not a technical briefing, but a consultation between the committee and the services about the committee's wishes with respect to the budgetary and accountability documents with a view to its scrutinising role, and the way in which the services could fulfil those wishes.

<sup>29</sup> See the details of the meetings attended only by the members of the committee of 13 and 19 October 2022.

<sup>30</sup> See the details of the meeting of 29 September 2022.

result of an article in the Volkskrant newspaper entitled '*Achterdeur in het nationale aftapsysteem van de politie, Israël's konden meeluisteren*'.<sup>31</sup>

At the committee's request, the Director of the MIVD gave a briefing on Iran. After that, the committee dealt with a letter from the Ministers of the Interior and Kingdom Relations and Defence following (public) parliamentary questions about the use of hacking software in the Netherlands.<sup>32</sup>

During the consideration of the letters on current issues from the MIVD the committee asked questions about various developments relating to two countries. It was agreed that a more detailed assessment of these two countries would take place during a working visit. With regard to the letters on current issues from the AIVD the committee focused on a case relating to Wahhabi-Salafism, the threat posed by people leaving Ukraine who adhere to jihadist ideology and the freedom of movement of the terrorist organisation in a particular country.<sup>33</sup> Lastly, the committee dealt with a letter it had requested about the AIVD's counterterrorism strategy. The committee asked a number of clarification questions regarding how this strategy is going to be refined and the Director-General of the AIVD said that he would report back at a subsequent meeting.

*15 November 2022: Meeting only attended by members of the committee*

The committee talked about subjects that they considered important to be included in the Integrated Intelligence and Security Order. The committee decided to discuss these in more detail with the Minister of the Interior and Kingdom Relations.

*24 November 2022: Meeting only attended by members of the committee*

The committee decided, among other things, to schedule an extra meeting about the AIVD's counterterrorism strategy following the regular meeting of 3 November 2022.

*24 November 2022: Regular meeting*

In the regular meeting, the committee talked with the ministers about how the committee is informed during investigations by the AIVD and/or MIVD into specific people.

During the update on the situation regarding Russia and Ukraine, the committee asked questions about the Russian attacks on public targets and about how many weapons Russia had.

With regard to the second progress reports by the AIVD and the MIVD the committee asked questions about the number of staff both services have and about the causes and consequences of objectives which had not been achieved, or had only partially

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<sup>31</sup> The newspaper article can be found at <https://www.volkskrant.nl/nieuws-achtergrond/achterdeur-in-het-nationale-aftapsysteem-van-de-politie-israeli-s-konden-meeluisteren~b6829c83/>.

<sup>32</sup> The government's answers to the written parliamentary questions posed by MPs Omtzigt (Omtzigt) and Van Dijk (SP) can be found in the appendix to Proceedings 2, 2021-2022, no. 3252.

<sup>33</sup> See also the meeting of 23 May 2022.

been achieved. The committee also focused on specific objectives relating to counterterrorism, anti-government extremism, cyber threats, Russia and China.

During the consideration of the DTN57 the committee reflected, for example, on the observation that, during detention, terrorism detainees often try to hide their extremist convictions. By doing so they sometimes manage to hoodwink de-radicalisation programme staff into believing that they do not have any extremist beliefs (any more).

## **December 2022**

### *1 December 2022: Extra meeting*

Given that the committee had insufficient time during the regular meeting of 24 November 2022 to deal with all the agenda items, the committee decided to schedule an extra meeting. During this extra meeting, the Director-General of the AIVD and the Director of the MIVD gave a briefing on China. Given that the committee once again had insufficient time to deal with all the remaining agenda items, a number of subjects were deferred until the regular meeting of 15 December 2022.

### *1 December 2022: Meeting only attended by members of the committee*

During this meeting, the committee discussed its past and upcoming working visits.

### *7 December 2022: Extra meeting*

This extra meeting was devoted to the AIVD's counterterrorism strategy. Due to the nature of the subject, only the Minister of the Interior and Kingdom Relations and representatives from the AIVD were present. The committee asked questions about the refining of the strategy and was given information about the reasons behind that.

### *15 December 2022: Meeting only attended by members of the committee*

The committee adopted its draft annual plan for 2023. They also talked about the secret appendix to the report of the committee of investigation into the non-lethal assistance (NLA) programme in Syria, which had been submitted to the committee.<sup>34</sup> The committee decided to ask the Minister of Foreign Affairs a number of clarification questions before deciding whether and, if so how, they should process the letter from the minister and the appendix.

### *15 December 2022: Regular meeting*

The committee dealt with a few points relating to the DTN57, given that it had been unable to do so due to a lack of time on 24 November 2022 and 1 December 2022. The committee focused on, among other things, the relationship between public and classified information in the DTN and the subject of terrorism detainees. At the committee's request, the Director-General of the AIVD and the NCTV commented on the threats posed by right-wing extremism and anti-government extremism in the Netherlands, further to the current situation in Germany with respect to the revisionist 'Reichsbürger' movement.

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<sup>34</sup> See Parliamentary Document 32 633, no. 321

In connection with the Integrated Intelligence and Security Order the committee asked questions about the influence of the temporary legislation on the expected implementation of the order, the focus on particular countries and the realisation of targets for China. The Ministers of the Interior and Kingdom Relations and Defence also promised, in response to questions by the committee, to send the committee a written comparison between the objectives from the old and new Integrated Intelligence and Security Orders. The committee also gave notice that it wished to organise a number of in-depth technical briefings in 2023 on several substantial themes and country investigations in the Integrated Intelligence and Security Order.

During the consideration of the AIVD's and MIVD's annual plans, the committee expressed its appreciation of the fact that the country into which the AIVD had performed a scan investigation as regards certain aspects<sup>35</sup> had been included in the AIVD's annual plan and in the Integrated Intelligence and Security Order. The committee also asked questions about the access to intelligence of both services with regard to Russia and about developments within anti-institutional extremist movements.

With regard to the letters on current issues from the AIVD and MIVD the committee asked questions about the actions of an ambassador in the Netherlands, a possible attack in the Middle East and various issues relating to Iran and China. Lastly, the committee received a short update on the Russia and Ukraine situation.

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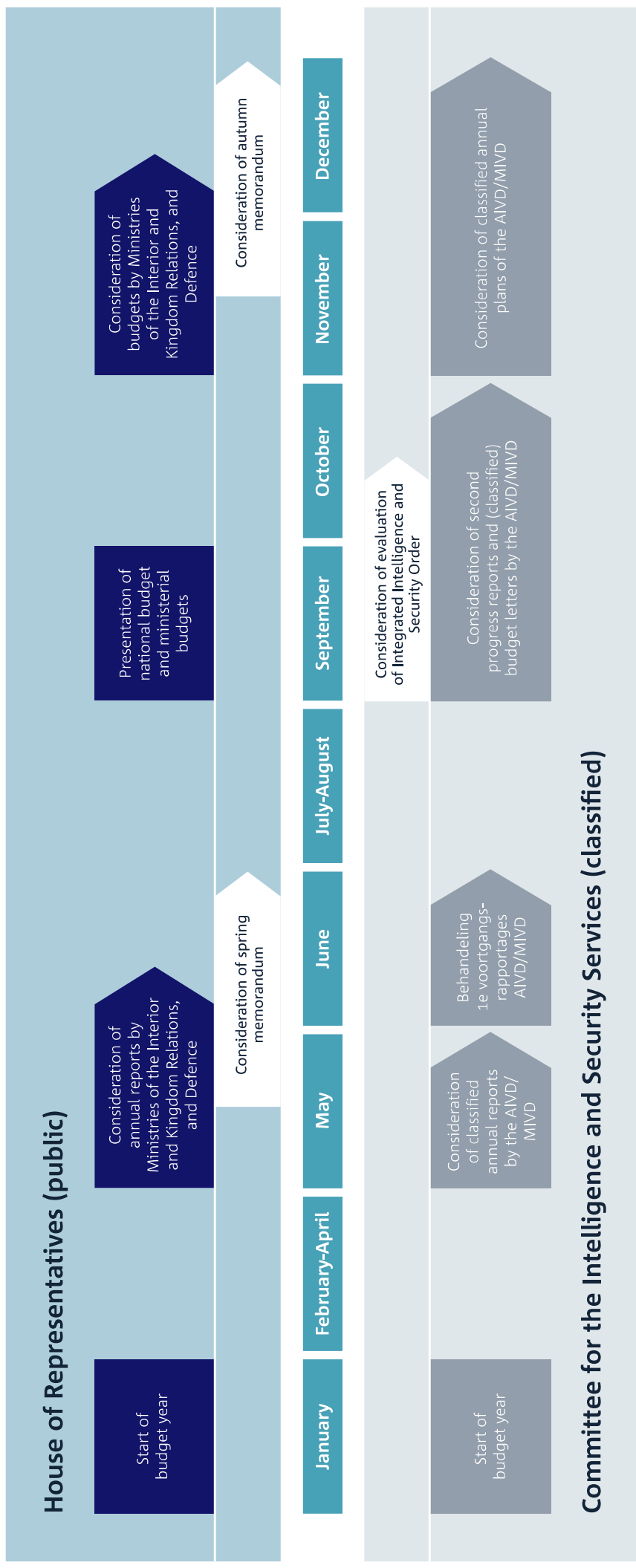
<sup>35</sup> See the details of the regular meeting of 29 September 2022.

## **8 Consideration of letters from third parties**

In 2022 the committee received a letter from an organisation which was forwarded to the Permanent Parliamentary Committee on the Interior and Kingdom Relations.

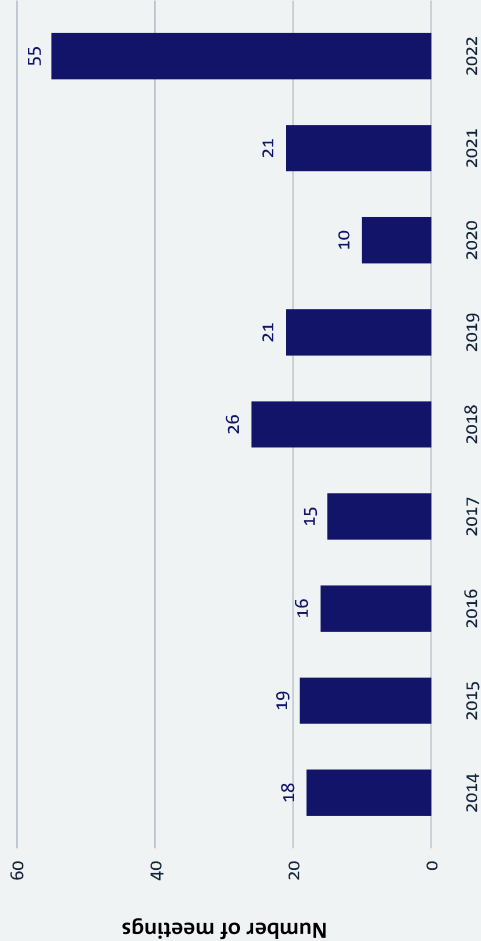


## Consideration of AIVD/MIVD budget and (financial) accountability

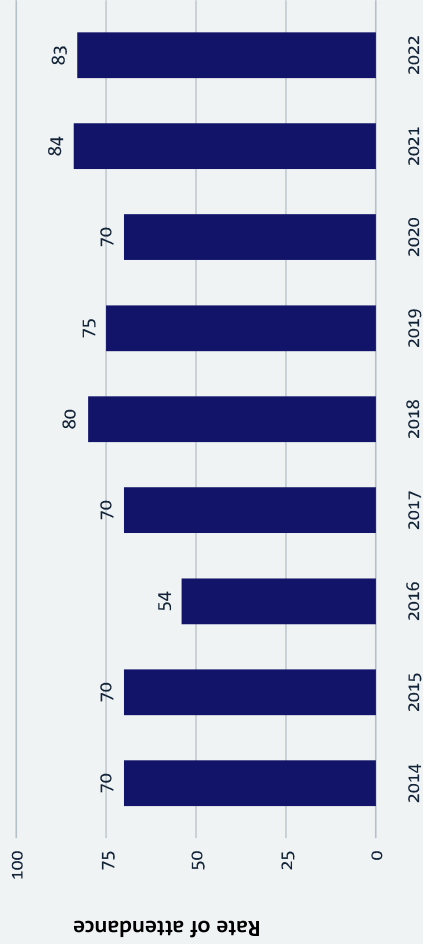


# CIVD activities and attendance rate in 2022

Frequency of meetings (excl. working visits) 2014-2022



Average rate of attendance for activities (incl. working visits) 2014-2022



CIVD activities (incl. working visits) in 2022

