

Report by the Committee on the Intelligence and Security Services (CIVD) on its activities in 2019

REPORT

Adopted on 1 July 2020

The Committee on the Intelligence and Security Services has the honour of publishing a report on its activities in 2019.

Chair of the Committee,
Dijkhoff

Clerk of the Committee,
Van der Leeden

1. Introduction

The annual report first describes the task and basis of the Committee on the Intelligence and Security Services (hereinafter the Committee) and gives a brief explanation of the various meetings and types of meetings held by the Committee and the Committee's activities, and the documents it deals with. Subsequently, the composition and support of the Committee are discussed, as well as the frequency and attendance of meetings in 2019. Finally, a concise chronological overview is provided of the topics and documents, including policy documents, received and discussed by the Committee in 2019.

Given that some information shared is considered state secret, the annual report cannot be regarded as an exhaustive summary of the topics discussed by the Committee.

2. Task and basis of the Committee

Section 22 of the Rules of Procedure of the House of Representatives states that there shall be a Committee on the Intelligence and Security Services (hereinafter the Committee). The Committee is charged with parliamentary scrutiny of the operational activities of the General Intelligence and Security Service of the Netherlands (hereinafter the AIVD) and the Military Intelligence and Security Service (hereinafter the MIVD). This means that, in principle, the Committee only deals with state secret information. The basis for providing the Committee with state secret information confidentially is laid down in Article 68 of the Dutch Constitution, which governs the duty to provide information to both the Senate and the House of Representatives. Further, the Intelligence and Security Services Act 2017 (hereinafter the ISS Act 2017) also provides for the possibility of providing the Senate and the House of Representatives with confidential information.¹

The ISS Act 2017 introduced a new provision concerning the processing of reports of suspected misconduct at the AIVD or MIVD by the complaints handling department of the Review Committee on the Intelligence and Security Services (hereinafter the CTIVD). Pursuant to Article 131(8) of the ISS Act 2017, state secret data from rulings concerning a report and a minister's response to it may be confidentially shared with the Senate or the House of Representatives. In practice, this means that the Committee ought to be informed about this.² However, since the introduction of the ISS Act 2017, this has not occurred.

3. Meetings and activities of the Committee

On average, the Committee meets at least once a month for meetings, talks and working visits.

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 (hereinafter the NCTV). In addition, classified documents from the CTIVD, the Netherlands Court of Audit and – since its foundation within the context of the ISS Act 2017 – from the Review Board for the Use of Powers (hereinafter the TIB)³ are discussed, as are the responses from the ministers concerned. Finally, the Committee is informed orally or in writing about current events, and presentations are given on specific topics or countries, often at the request of the Committee.

These meetings are generally attended by the ministers concerned (Interior and Kingdom Relations, Defence, and Security and Justice), the secretary-general of the Ministry of the Interior and Kingdom Relations, the secretary-general of the Ministry of Defence, the director-general or deputy director-general of the AIVD (together with no more than one AIVD staff member), the director or deputy

¹ See Articles 12 and 113 of the ISS Act 2017 respectively.

² *Parliamentary document* 34588, No. 3, p. 186 (MvT – explanatory memorandum).

³ The TIB is an independent committee that investigates in advance the lawfulness of deployment of certain investigatory powers by the AIVD and MIVD. See www.tib-ivd.nl.

director of the MIVD (also accompanied by no more than one MIVD staff member), and the representative or deputy for the NCTV.

Additional meetings

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

Talks

Apart from meetings with ministers, the Committee holds talks with the CTIVD, the Netherlands Court of Audit and the TIB. Topics of discussion include the secret appendices to CTIVD review reports, classified reports from the Netherlands Court of Audit, and classified letters from the TIB.

Meetings behind closed doors

These meetings involve the Committee members only and are generally decision-making in nature. For instance, decisions are taken on the Committee's annual plan and annual report, on its working procedure, and on specific topics dealt with in the regular meetings. In addition, the Committee takes decisions on letters from third parties, requests to consult the Committee's archives, and issues related to the hosting of delegations from abroad.

Working visits

The Committee aims to pay working visits to the AIVD, MIVD and/or the NCTV twice a year.

Apart from the Committee members, all meetings and activities are attended by the clerk and the advisor of the Committee.⁴ Reports of the meetings and talks are drawn up and then adopted by the Committee in the next meeting. These reports are classified as state secret.

4. Committee meeting documents

This section provides an overview of the various documents, including policy documents, discussed by the Committee.

4.1 AIVD/MIVD budget and accountability information

Between 2016 and 2018, the Committee met with the Minister of the Interior and Kingdom Relations and the Minister of Defence on several occasions to discuss what the Committee needed in order to exercise its right to approve and amend budgetary policy, and when this information should be made available. The Netherlands Court of Audit advised the Committee on this process on various occasions. The various consultations resulted in further scrutiny of the budget and accountability information provided by the AIVD and the MIVD, and in agreement on the following budget and accountability cycle with the ministers:

⁴ See also section 5.

Budgetary procedure and financial accountability of AIVD/MIVD



Below is a brief explanation of the documents discussed by the Committee in relation to the budget and accountability cycle.

Integrated Intelligence and Security Order

The Integrated Intelligence and Security Order describes the need for intelligence of various parties and is jointly established by the Prime Minister, the Minister of the Interior and Kingdom Relations and the Minister of Defence in consultation with the Minister of Justice and Security and the Minister of Foreign Affairs. The Integrated Intelligence and Security Order comprises a public section, which is published in the Official Gazette of the Kingdom of the Netherlands, and a confidential section. The confidential section is discussed by the Committee and contains the research objectives for the coming four years as well as the division of tasks between the AIVD and the MIVD.

Annual plans

The Minister of the Interior and Kingdom Relations and the Minister of Defence work out the Integrated Intelligence and Security Order in the annual plans (investigation plans) for the AIVD and the MIVD respectively. Due to their content, the annual plans are state secret but are published in general terms and offered to the House of Representatives (more specifically to the standing committees on Interior Affairs and Defence). The confidential annual plans are shared in full with the Committee.

Progress reports

The AIVD and the MIVD provide a progress report twice a year. In these progress reports, which are classified as state secret, the AIVD and the MIVD are accountable for the progress of their operational activities, as established in the annual plans, for the period concerned.

Budget letters

In 2018, an agreement was made with the Minister of the Interior and Kingdom Relations and the Minister of Defence that the Committee would be informed about the classified aspects of their budgets when the budgets are sent to the House of Representatives in September. These letters provide the Committee with a general breakdown of the budget for the various sections of the AIVD and the MIVD and also focus on trends that will be of relevance to national security in the coming year. For each service, the letters include an appendix with graphs illustrating the relevant figures.

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 which explains how they have performed their tasks in the previous year. These reports contain a full overview of the following matters in accordance with the ISS Act 2017:

- Areas of focus for the service's activities over the past year;
- Areas of focus for the service's activities in the current year.

The public version of the annual report does not mention details that offer insight into:

- The means deployed by the service in concrete matters;
- Secret sources used by the service;
- The service's current knowledge level.

The ministers can provide such details confidentially to the Dutch Senate and/or the House of Representatives. In practice, this means that the AIVD and the MIVD provide the Committee with an annual report which is classified as secret.

4.2 Other meeting documents

Terrorist Threat Assessment Netherlands

The Committee also examines the Terrorist Threat Assessment Netherlands (*Dreigingsbeeld Terrorisme Nederland*, DTN). The Terrorist Threat Assessment Netherlands is based on information from the AIVD and the MIVD, among other sources, and is published by the National Coordinator for Security and Counterterrorism (NCTV) two or three times a year. A public version of the Terrorist Threat Assessment Netherlands is examined by the standing committee on Justice and Security, while the state-secret version is discussed by the Committee.

The Cyber Security Assessment Netherlands

The Cyber Security Assessment Netherlands (CSBN) is an annual publication by the NCTV which affords insight into developments, interests, threats and resilience relating to cyber security. It is produced in collaboration with public parties such as the AIVD and the MIVD and also private parties. As of 2018, there is also a classified version of the Cyber Security Assessment Netherlands, which is examined by the Committee.

Letters on current affairs

The Committee receives a letter on current affairs (*actualiteitenbrief*) from the Minister of the Interior and Kingdom Relations and the Minister of Defence ahead of all regular meetings. In this letter, the MIVD and the AIVD inform the Committee about current events and developments.

Letters from ministers containing supplementary information

The Committee can request the ministers responsible to provide supplementary information on specific topics. Such information is sometimes presented verbally but is often shared with the Committee by means of a letter. Outstanding promises to the Committee are sometimes also dealt with via a letter from the minister concerned. All letters from the ministers to the Committee are put on the agenda.

Review reports from the CTIVD

CTIVD review reports sometimes include classified appendices. Such appendices are always offered to the Committee by the minister concerned and are discussed at two times:

- The CTIVD gives an explanation of the report in a meeting and answers any questions the Committee may have. The ministers are absent during this meeting.
- The report, the accompanying classified appendix, and the minister's response are discussed at a regular Committee meeting, at which the minister concerned may be questioned by the Committee. The CTIVD is not present at this meeting.

Classified letters from the TIB

In 2019, the Committee did not receive any classified documents from the TIB. On one occasion the Committee met with the TIB.

Classified reports from the Netherlands Court of Audit

The Committee also examines documents from the Netherlands Court of Audit, for instance, classified letters accompanying the results of accountability audits or secret appendices to reports. Documents from the Netherlands Court of Audit are always discussed in a meeting with the Netherlands Court of Audit first before being discussed with the ministers concerned.

Letters from third parties

Finally, each year the Committee receives several letters from citizens and institutions containing questions, complaints or comments concerning the AIVD and the MIVD. During these meetings, which take place behind closed doors, the Committee decides what action needs to be taken.

5. Composition and support of the Committee

Pursuant to section 22, subsection 2, of the Rules of Procedure of the House of Representatives, the Committee consisted until 20 May 2019 of MPs Dijkhoff (VVD), chairperson of the Committee, Wilders (PVV), Van Haersma Buma (CDA), Klaver (GroenLinks), Jetten (D66), and Asscher (PvdA). On 21 Mei 2019, Mr Heerma succeeded Mr Van Haersma Buma as leader of the CDA group.

The Committee is supported by a clerk, an advisor and an assistant. The clerk and the advisor jointly take care of matters such as preparing and planning meetings, drawing up annotations, recommendations and meeting reports as well as maintaining official contacts with the AIVD, the MIVD, the ministries, the CTIVD, the Netherlands Court of Audit and the TIB. The clerk mainly focuses on the process while the advisor concentrates on content. The responsibilities of the assistant to the Committee include receiving, registering and sending documents (including postal documents) and archiving them, scheduling meetings, and inviting ministers and Committee members to various Committee activities. All three members of staff have been screened by the AIVD and are in possession of a Certificate of No Objection (*Verklaring van Geen Bezwaar*, VGB).

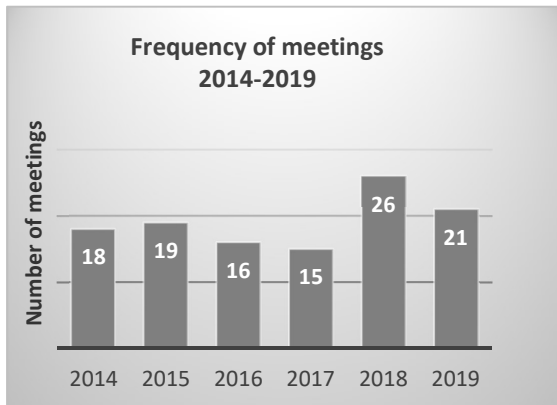
Since December 2018, the Committee has also been supported by the Analysis and Research Department (*Dienst Analyse en Onderzoek*, DAO) of the House of Representatives. Since then, for the purposes of every regular meeting, two information specialists have delivered an overview of news reports concerning intelligence and security services in the Netherlands and abroad. The information specialists concerned do not have a Certificate of No Objection and are therefore not privy to the topics discussed by the Committee (other than what is subsequently stated in the annual reports). They draw up the overviews purely on the basis of public sources.

6. Frequency and attendance of meetings

In 2019, the Committee met on 21 occasions:

| Number of meetings in 2019 | |
|---|-----------|
| Regular meetings | 10 |
| Additional meetings (scheduled following a specific event, for example) | 4 |
| Talks with the Netherlands Court of Audit | 2 |
| Talks with the CTIVD | 1 |
| Talks with the TIB | 1 |
| Meetings behind closed doors (only attended by Committee members) | 3 |
| Total for 2019 | 21 |

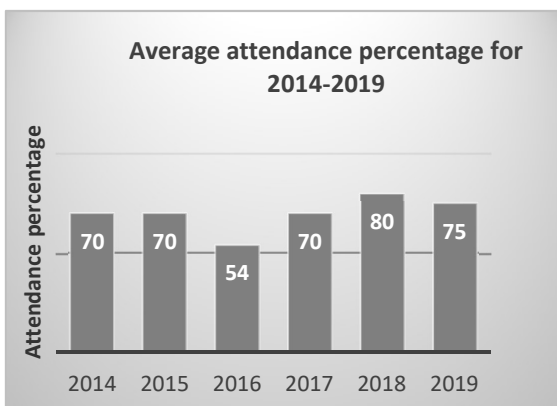
The frequency is therefore lower than in 2018, when the Committee met 26 times (see graph 1).



Graph 1

In addition to the above meetings, the Committee paid two working visits in 2019. During the first working visit, the Committee was briefed in detail about the technical aspects of the powers the AIVD's and the MIVD's powers to carry out investigation-oriented interceptions. During the second working visit, the focus was on the AIVD's and the MIVD's powers in the area of hacking and computerized data analysis.

In 2019, the average attendance was 75% (see graph 2).



Graph 2

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

24 January 2019

On 24 January 2019, the Committee held two meetings: a meeting with the Netherlands Court of Audit and a regular meeting with the Minister of the Interior and Kingdom Relations and the Minister of Defence.

Meeting with the Netherlands Court of Audit

The reason for the meeting with the Netherlands Court of Audit was a confidential letter sent to the Committee about the outcome of an investigation into the accountability information concerning the MIVD, which was carried out by the Netherlands Court of Audit. In this investigation, the Netherlands Court of Audit addressed the following question: What information does the House of Representatives receive regarding the performance and the functioning of the MIVD and how can the coherence of this information be improved? The Netherlands Court of Audit found that the accountability information was generally in compliance with legal provisions and concluded that the

budget and accountability cycle as of 2018 was balanced. However, the Court of Audit also found parliamentary scrutiny to be fragmented, because information about the MIVD is spread out across various documents and parliamentary scrutiny of the information usually takes place in the standing committee on Defence and in the Committee independently. These conclusions and the recommendations made by the Netherlands Court of Audit were discussed with the Committee.

Regular meeting

During the regular meeting, the Committee further discussed the outcome of the investigation carried out by the Netherlands Court of Audit with the Minister of Defence. The minister expressed her intention to further optimize the accountability information.

In addition, the Committee asked questions about certain requests made by the AIVD and the MIVD regarding the deployment of special powers, an issue which the Minister of the Interior and Kingdom Relations and the Minister of Defence had informed the House about in November 2018.⁵

A letter from the Minister of Justice and Security about a specific case was also discussed.

As a result of the letter of current affairs from the AIVD, the following subjects were brought up for discussion: media reports about an ISIS-inspired plan to poison drinking water in Italy, the stabbing attack in Manchester on 31 December 2018, the targets of Al-Qaida networks, developments in Venezuela, and developments in the field of Salafism. The latter was an issue that the Minister of the Interior and Kingdom Relations promised to follow up on in more detail on a next occasion by means of a presentation. Additionally, the Minister of the Interior and Kingdom Relations promised to address the issue of Al-Qaida network targets in greater detail in a letter.

Finally, the Committee spoke with the Minister of Defence about the developments in Northern Syria, as a result of the letter on current affairs from the MIVD.

14 February 2019

On 14 February 2019, the Committee held a regular meeting with the Minister of the Interior and Kingdom Relations and the Minister of Justice and Security, during which the Minister of the Interior and Kingdom Relations filled in for the Minister of Defence, who was absent, on MIVD-related subjects.

At the request of the Committee and as previously promised, the AIVD and the MIVD gave a joint presentation about undesirable foreign interference, focusing on three countries.

The Committee also discussed the letter, promised on 24 January, from the Minister of the Interior and Kingdom Relations about Al-Qaida network targets. The Minister promised to inform the Committee of any developments in this field.

In addition, the Committee spoke with the Minister of the Interior and Kingdom Relations again about the requests from the AIVD and the MIVD that the TIB had considered unlawful and about the differences in interpretation of the ISS Act 2017 between the Minister of the Interior and Kingdom Relations and the Minister of Defence on the one hand, and the TIB on the other. For this reason, the Committee had invited the TIB for a meeting as well.

The letters on current affairs from the AIVD and the MIVD were jointly dealt with. Topics discussed included the developments in Venezuela, the threat of an ISIS attack network, Russia's foreign relations and the Cornelius Haga Lyceum secondary school in Amsterdam.

⁵ *Parliamentary document* 35184, No. 1 (Report by the Committee for the Intelligence and Security Services (CIVD) on its activities in 2018).

During the discussion of a number of outstanding promises, the specific case mentioned on 24 January 2019 was also further discussed.

19 March 2019

At the request of the Minister of the Interior and Kingdom Relations, an additional meeting was held on 19 March to discuss the shooting incident in Utrecht on 18 March 2019. The Committee was brought up to speed on the information about the shooter and the incident known at the time.

28 March 2019

The Committee held three meetings on 28 March 2019: one was a discussion with the TIB, one was a regular meeting, and one was held behind closed doors.

Discussion with the TIB

The reason for this discussion were differences in interpretation of the ISS Act 2017 between the Minister of the Interior and Kingdom Relations and the Minister of Defence on the one hand, and the TIB on the other. The Committee invited the TIB to discuss this subject in more detail. Other topics included the requests made by the AIVD and the MIVD that the TIB had declared unlawful.

Meeting behind closed doors

The Committee discussed the draft of its 2018 annual report behind closed doors. The annual report was adopted by the Committee subject to a number of changes.

Regular meeting

In the regular meeting, the Committee spoke to the Minister of the Interior and Kingdom Relations. Both the Minister of Defence and the Minister of Justice and Security were unable to attend.

Following the AIVD letter on current affairs, the distribution of jihadist instruction materials on social media by a virtual network of ISIS supporters was discussed, as were the arrest of a man suspected of the possession of firearms with a terrorist motive, digital espionage carried out by Russia, a Salafist organization in the Netherlands, the abuse of Dutch ICT infrastructure by state actors, and the perpetrator of the shooting incident in Utrecht (hereinafter: Gökmen T.) The latter topic was discussed at length, including which information could be made public, possibly at a later date.

The other letters on the agenda were pushed forward to the next meeting due to time constraints. This concerned the MIVD letter on current affairs, a letter from the Minister of the Interior and Kingdom Relations about a specific case discussed earlier, and a letter from the Minister of the Interior and Kingdom Relations about national security and 5G concessions.

4 April 2019

On 4 April 2019, an additional meeting was scheduled to discuss the agenda items that could not be discussed on 28 March with the Minister of the Interior and Kingdom Relations and the Minister of Defence. In addition, the Committee spoke with the Minister of Justice and Security about the secret DTN49.

The Committee discussed the AIVD and MIVD requests that had been declared unlawful by the TIB with the Minister of Defence and the Minister of the Interior and Kingdom Relations. The ministers reported on this subject during the meeting in the context of a concrete investigation and said they intended to continue discussing this matter with the TIB.

During the discussion of the DTN49, the Committee asked questions about the following subjects: the fact that the Dutch system of detaining terrorism suspects and convicts together in certain cases allows them to influence each other in undesirable ways⁶; the funding of jihadist efforts; the freedom of movement of a terrorist organization in a certain country and the possibility of making this

⁶ See also the public 2019 AIVD Annual Report, pages 10 and 11.

information public; the issue of (potential) returnees⁷ from the conflict areas in Syria and Iraq and the extent to which services are able to issue official country reports on this matter to the Public Prosecution Service; the actions taken against wind turbines; and the announced withdrawal of US military personnel from Syria.

The AIVD gave a presentation on the investigation into the activities of individuals promoting Salafism in the Netherlands.

With regard to the MIVD letter on current affairs, the developments in North Korea were discussed in more detail. Finally, the Committee expressed its wish to be informed of developments regarding an international solution for the NSO satellite ground station in Burum. The Defence Minister promised to do so.

25 April 2019

At its request, the Committee received a letter from the Minister of the Interior and Kingdom Relations in which she responded to the media report that both the AIVD and MI5 have ended their cooperation with the Austrian services⁸. This letter was on the agenda of the regular meeting on 25 April, but it did not lead to any further questions from the Committee.

Following the AIVD letter on current affairs, the risks of using Chinese equipment for 5G networks or other vital telecommunication networks were discussed.

Finally, the Minister of Defence informed the Committee of the international solution regarding the satellite ground station in Burum.

29 May 2019

The Committee held two meetings on 29 May. One took place behind closed doors and one was the regular meeting.

Meeting behind closed doors

Behind closed doors, the Committee discussed the topic and the date of the next working visit.

Regular meeting

In the regular meeting, the Committee was first updated on the latest developments regarding the relocation of the satellite ground station in Burum. The ongoing developments in Venezuela were discussed as well.

When discussing the AIVD's 2018 secret annual report, the Committee asked whether or not the objectives set in the Integrated Intelligence and Security Order (GA) with regard to state actors, Salafism and terrorist funding were being met.

Following the MIVD's 2018 secret annual report, a discussion took place about what causes the fluctuations in the achievement of the set objectives. The MIVD also told the Committee in which investigations extra investments were made. In addition, the country survey on Mali was discussed.

At the Committee's request, an oral explanation was given for both annual reports of the developments in the tap statistics.

In the context of the MIVD letter on current affairs, the Committee spoke with the minister about the tensions between the United States and Iran, and again, questions were raised about the

⁷ Definition according to the 2019 public AIVD Annual Report (page 25): a person who left his or her country for a jihadist war zone with the intention to fight there, of whom it is known that he or she has reached the war zone and who subsequently returned to the Netherlands.

⁸ See also AD.nl, among others, of 9 April 2020, "AIVD limits exchange of information with Austria".

possibility of disclosing information about the freedom of movement of a terrorist organization in a certain country.

When discussing the AIVD letter on current affairs, the Committee asked questions about Dutch jihadists who have left the Netherlands for jihadist war zones, and about the involvement of ISIS in attacks in Sri Lanka. In addition, questions were raised following a media report claiming that the so-called 'Balie-terrorist' was an informant of the AIVD⁹.

The Committee also discussed the media coverage of the AIVD investigation into Chinese espionage via Huawei.¹⁰

20 June 2019

A regular meeting took place on 20 June. In a letter from the Minister of Defence, the Committee was updated on a pending case about which it had already been informed several times earlier.

The Committee also discussed a letter in which the Minister of the Interior and Kingdom Relations addressed a report in the Volkskrant newspaper about journalist Bas van Hout¹¹.

During the discussion on the MIVD's first progress report, the Committee concluded that the need for intelligence exceeded the available resources. The Committee asked why the objectives were not achieved in certain investigations. Was this due to capacity problems, lack of financial resources or lack of technical resources? An important reason mentioned by the Minister of Defence was not only the implementation of the new ISS Act, but also the recruitment of new personnel with specialist knowledge. Furthermore, the following topics were discussed: Iran's ballistic programme, the Syrian regime, the current situation in the Gulf region and the military strength of ISIS and Al-Qaida Syria and Iraq. With regard to the latter subject, the Minister of Defence promised to provide the Committee with further information in a presentation to be held in a subsequent meeting.

The subjects discussed on the basis of the first AIVD progress report included terrorist funding, the arrest of a Dutch jihadist in February 2019, Russian foreign relations, the activities of Russian intelligence officers in the Netherlands, and the Cornelius Haga Lyceum. There was also discussion about the achievement, or otherwise, of certain objectives. The Minister of the Interior and Kingdom Relations promised to elaborate on this in one of the next meetings.

The classified version of the CSAN 2019 was also discussed with the Minister of Justice and Security, the Minister of the Interior and Kingdom Relations, as well as with the Minister of Defence, in the meeting on 20 June. The threat posed by specific state actors was discussed extensively, as were the targets of these actors, including targets in the Netherlands. Furthermore, the Committee noted that much of the information given in the classified version of the CSAN was not included in the public version, even though this information is relevant for public discussion. The Minister of Justice and Security promised to investigate, in the period to come, how the urgency of a higher resilience could be communicated more widely.

With regard to the information shared in the MIVD letter of current affairs, the Committee again raised questions about the possibility of disclosing information on the freedom of movement of a terrorist organisation in a certain country. The Minister of Justice and Security agreed to cover this subject in the following meeting.

⁹ See Volkskrant.nl, among others, 22 May 2019: "The 'Balie-Syrian' turns out to have been AIVD informant. Is that possible just like that and what does it mean for him?"

¹⁰ See Volkskrant.nl, among others, 16 May 2019: "Huawei possibly involved in Chinese espionage in the Netherlands".

¹¹ Interview with crime journalist Bas van Hout: "Never ever -- I repeat: never ever -- get involved with the AIVD", de Volkskrant, 8 June 2019.

3 October 2019

The Committee met several times in October. The first meeting took place on 3 October 2019. It consisted of a meeting with the Netherlands Court of Audit and a regular meeting.

Meeting with the Netherlands Court of Audit

The Committee spoke with the Netherlands Court of Audit about the 2020 budget letters from the AIVD and the MIVD. The Netherlands Court of Audit drew attention to a number of noteworthy points, starting with the personnel growth intended for both services. The MIVD, in particular, showed a high ambition to achieve the envisaged number of personnel, which would demand a lot of the service's absorptive and recruitment capacities. The Netherlands Court of Audit pointed out the importance of letting quality be the leading criterion. Another point of attention, in the Court of Audit's view, was the implementation of the ISS Act 2017, which continues to lay claims on the capacity and operational effectiveness of the services. According to the Netherlands Court of Audit, more insight is needed about the timetable: How long will the implementation of the ISS Act continue to be so demanding?

Regular meeting

In the regular meeting, the Committee first discussed a specific case with the Minister of Defence.

Furthermore, the Committee discussed the budget letters of the services with the Minister of Defence and with the Minister of the Interior and Kingdom Relations. With regard to the MIVD's budget, topics discussed included personnel growth and the improvement of the ICT infrastructure. With regard to the AIVD budget, discussion points included the use of sources in a specific region.

The secret DTN50 was also discussed in this meeting. The subjects covered included the Cornelius Haga Lyceum, Salafism, the Terrorist Department (TA) in Vught, the role of women and families in the Dutch jihadist movement, the increase in Turkish asylum seekers, the freedom of movement of a terrorist organization in a certain country, a previously mentioned Salafist organization in the Netherlands, and the possible threat posed by Syrian refugees in the Netherlands. With regard to some of these topics, there was also discussion about the possibility of making the information shared in the meeting public.

Based on the MIVD letter on current affairs, the attack on two oil facilities in Saudi Arabia was discussed, and following the AIVD current affairs letter, questions were raised about unwanted foreign interference by a state actor.

Finally, two more letters from the Minister of the Interior and Kingdom Relations were discussed. The first concerned an update on Al-Qaida network targets that are known to the AIVD. The second letter concerned media reports about the AIVD's legal procedure against a journalist about his book.¹²

9 October 2019

On 8 October 2019, the Committee asked the Minister of the Interior and Kingdom Relations, the Minister of Defence and the Minister of Justice and Security to convene an additional meeting to inform the Committee about the recurring topic of the freedom of movement of a terrorist organization in a certain country. This additional meeting took place on 9 October. The possibility of disclosing certain information was discussed. The ministers agreed to discuss this in the cabinet and to take it up with the Committee again at a later date.

¹² See article dated 9 July 2019 in de Volkskrant, among others, "AIVD files charges against Volkskrant journalist because publication on digital espionage contains state secrets".

15 October 2019

A second additional meeting on this topic was held on 15 October. The Minister of Justice and Security (who acted on behalf of the Minister of the Interior and Kingdom Relations as well) indicated that the information discussed earlier could not be made public at that time.

13 November 2019

On 13 November, the Committee met with the Minister of the Interior and Kingdom Relations and the Minister of Defence in a regular meeting.

The first topic of discussion was the second progress report of the AIVD. The Committee asked several questions about the increasingly violent discourse among right-wing extremists, the jihadist movement in the Netherlands, the threat of violence from returnees (particularly female returnees), unwanted Russian interference in the Netherlands, a specific topic that had been raised several times earlier in Committee meetings, terrorist funding, and the cyber threat posed by state actors.

Based on the second progress report of the MIVD, the Committee spoke with the Minister of Defence about the MIVD investigation into the entire Sahel region as well as developments in Burkina Faso and Mali.

A letter from the Minister of the Interior and Kingdom Relations, which the Committee had received at its request, was discussed as well. It contained further elaboration from the AIVD on previous information regarding the freedom of movement of a terrorist organization in a certain country.

On 4 November 2019, the Committee requested that the Minister of Justice and Security and the Minister of the AIVD¹³ provide further information on a public letter sent to parliament on 31 October 2019 about two women who had travelled to Syria as brides of ISIS fighters and then managed to escape from the Al-Hol¹⁴ jihadist camp. The Committee asked the ministers to answer three questions. The Ministers responded by letter on 8 November 2019, and this letter was discussed in the meeting on 13 November.

The topics discussed on the basis of the AIVD letter of current affairs included the special terrorist department TA in Vught, espionage by a state actor in the Netherlands, the digital threat posed by state actors to businesses and the consequences of Abu Bakr al-Baghdadi's death on the effectiveness of IS.

Following the AIVD letter on current affairs, a question was asked about the unusual digital traffic that had reportedly taken place at a particular location.

At the Committee's request, the AIVD and the MIVD gave a presentation about an investigation into a particular country.

28 November 2019

On 28 November, the Committee met twice: once for a meeting with the CTIVD and once for a regular meeting.

¹³ From November 2019 until April 2020, the minister of Defence, Ms Bijleveld, was also minister in charge of the AIVD.

¹⁴ *Parliamentary document* 29754, No. 534.

Meeting with the CTIVD

The discussion with the CTIVD was dominated by the secret appendices to the CTIVD's review reports on the AIVD's and MIVD's use of filters in investigation-related interception¹⁵ and their use of the special power of selection.

Regular meeting

The Minister of Defence, who is also the minister in charge of the AIVD, and the Minister of Justice and Security were present at the regular meeting. First, the above-mentioned CTIVD review reports were discussed. The AIVD subsequently gave a detailed explanation of a counterterrorism threat investigation.

Following the AIVD letter on current affairs, the Committee spoke with the minister in charge of the AIVD about detention centres in Northwest Syria and about intelligence activities by Russia in the Netherlands.

Following the MIVD letter on current affairs, the Committee asked questions about a digital disruption and about developments in the leadership of ISIS.

Finally, the Committee spoke to the Minister of Justice and Security about a letter containing a number of commitments made by the minister. This led to a few follow-up commitments.

12 December 2019

On 12 December 2019, a regular Committee meeting and a meeting behind closed doors took place.

Meeting behind closed doors

Behind closed doors, the Committee discussed and adopted the annual plan for 2020. It also discussed the expansion of the Committee staff and a number of other internal matters. The Committee also reviewed two letters from citizens. These are discussed in more detail in section 8.

Regular meeting

In the regular meeting, the Integrated Intelligence and Security Order 2020-2022, the so-called GA I&V, was discussed with the Minister of Defence, who is also temporarily in charge of the AIVD. The discussion focused on the choices made in the GA I&V.

The 2020 annual plans of both AIVD and MIVD were also discussed during this meeting. With regard to the AIVD's annual plan, the Committee asked questions about whether or not to intensify certain investigations, the threat posed to Europe by ISIS and Al-Qaida, the use of human resources by the AIVD, and the intelligence activities of a state actor in the Netherlands. Cooperation with certain countries was also discussed.

With regard to the MIVD's annual plan, the Committee spoke to the minister about the military capabilities and intentions of two countries and about the investigation into the Sahel region.

The Terrorist Threat Assessment Netherlands (DTN51) was also discussed during this meeting. Particular attention was paid to the threat level identified (level 3), Dutch jihadist fighters who went to Syria or Iraq and are now held in detention centres in Northeast Syria, the influence of imams within Salafism, and the threat posed by right-wing extremists.

Following the AIVD letter on current affairs, talks were held about prisoners currently detained in the Netherlands for either planning or carrying out attacks and when they will be released, individuals acting as Salafist promoters, and efforts by foreign state actors to influence the elections in the Netherlands.

¹⁵ so-called OOG-interception

During the discussion of the AIVD current affairs letter, the Russian cyber threat was discussed as well.

Finally, at the Committee's request, the AIVD and the MIVD gave an extensive presentation on the status of a number of groups in Syria.

8. Processing of third-party letters

In 2019, the Committee dealt with two letters from citizens. One of these letters was forwarded by the Committee to the Minister of the Interior and Kingdom Relations; it contained a complaint against the AIVD.

The second letter was forwarded by the Committee to the standing committee on the Interior and Kingdom Relations of the House of Representatives.