

## Appendix - Proposal for parliamentary inquiry on the undesirable influence of unfree countries

### 1 Background

For many years, the Dutch House of Representatives has been debating the undesirable funding of mosques and the extent to which this involves undesirable influence. A great deal of research has been conducted, much has been announced (and partially initiated) in the way of policy and motions have been submitted by Parliament, but this has not yet resulted in sufficient understanding of the issue or potential solutions.

In the debate on the foreign funding of mosques on 30 May 2018<sup>1</sup>, MPs Van der Staaij and Karabulut put forward a motion requesting that the Presidium prepare a proposal for a parliamentary inquiry (*parlementaire ondervraging*, a new type of investigation by parliament that takes the form of a mini-inquiry) of the undesirable funding of mosques:

#### MOTION PROPOSED BY MPs VAN DER STAAIJ AND KARABULUT<sup>2</sup>

Proposed on 30 May 2018

This House,

having heard the deliberations,

noting that the subject of undesirable funding of mosques and the extent to which this involves undesirable influence has been debated at length but there is still very much that remains unclear;

considering that the House itself also bears responsibility for creating clarity with regard to the issue of undesirable funding of mosques and appropriate solutions for this, partly by questioning the parties involved and experts on the matter;

requests that the Presidium prepare a proposal for a parliamentary inquiry on the subject of the undesirable funding of mosques,

and proceeds to the order of the day.

Van der Staaij

Karabulut

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<sup>1</sup> Acts II 2018/19, no. 87, item 3

<sup>2</sup> Parliamentary document 29 614, no. 91

The debate was partly prompted by the [Nieuwsuur](#) broadcasts and NRC articles, which revealed secret lists of funding of mosques by ‘unfree’ Gulf states. This investigation revealed that two thirds of municipalities with a mosque featured in the list stated that the information about foreign funding was not shared.

After the debate, the MPs submitting the motion decided to delay it in order to enable the government to take concrete action. The motion was later put to a vote on 5 March 2019 and carried (Acts II 2018/19, no. 58, item 22). On 13 March, the Presidium decided to refer the motion to the standing committee for Social Affairs and Employment (SZW), instructing them to prepare a proposal for an inquiry. This request was handled in the procedural session on 19 March and then again in an additional procedural session on 28 March. In order to come up with a proposal, the committee convened a preparation group with members from the SZW, Foreign Affairs (BuZa) and Justice & Security (J&V) committees.<sup>3</sup>

### **Preparations result in widening scope for motion**

The preparation group met several times and organised an expert meeting on 15 May in order to explore the issue in greater detail and come up with a proposal.<sup>4</sup> It emerged from this expert meeting that mosques are not only being influenced financially: goods and services are also involved. This includes payment of salaries, financial support for students, facilitating buildings, offering study programmes, study materials, regular and occasional educational programmes (some online), lectures/conferences, translations or ensuring that representatives sit on mosque boards. In addition, a mosque is not a separate legal entity in itself; there is a foundation or association behind it in the form of a social organisation or religious institution. The influence is also not only exerted via mosques, but also via educational institutions, for example.

When is this kind of influence undesirable? The government has decided as follows: the influence is undesirable if it results in or intensifies problem behaviour in the organisation receiving the funds. This is behaviour that may be considered to undermine the democratic rule of law. The government has also drawn a clear line on this:

*‘Government and society must take a stance against developments that lead to active intolerance based on ideological or religious convictions and – under certain circumstances – prevent others from exercising their constitutional rights and freedoms.’<sup>5</sup>*

The government is particularly concentrating on tackling problem behaviour, focusing on ‘salafism’, undesirable funding from abroad and extremist speakers.

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<sup>3</sup> After all members of the SZW, J&V and BuZa committees were sounded out, the members Van Raak (SP), Slootweg (CDA), Groothuizen (D66), Özdil (GroenLinks), Gijs van Dijk (PvdA), Becker (VVD), Edgar Mulder (PVV), Stoffer (SGP) and Segers (CU) agreed to sit on the preparation group.

<sup>4</sup> The expert meeting included discussions with Prof. Van den Bos, and private briefings were provided by the Financial Expertise Centre (*Financieel Expertise Centrum*), legal experts from the ministries of SZW/BZK/JenV and the General Intelligence and Security Service (AIVD).

<sup>5</sup> [Parliamentary document 29 614, no. 108, p.2](#)

This often involves references to so-called ‘unfree countries’, although there is no internationally accepted definition of the term. The definitions of not free, partly free and free countries used in the ‘Freedom in the World report’ are one useful source of information on this.<sup>6</sup>

In the light of these findings, the preparation group deem it necessary to widen the scope of the motion (without undermining its content) in order to gain a good understanding of the issue – including the facts, the level of urgency and the solutions.

## **2 Aim**

The aim of this inquiry is to gain greater insight into undesirable influence from unfree countries on social and religious organisations in the Netherlands, such as mosques, and to gain an understanding of effective measures to bring an end to this influence.

## **3 Issue at hand and questions for the inquiry**

What undesirable influence from unfree countries is there on social and religious organisations in the Netherlands and how can this influence be stopped?

### **Questions for the inquiry:**

1. In what way are social and religious organisations in the Netherlands, such as mosques, being subject to influence from unfree countries?
2. What kind of social and religious organisations in the Netherlands are primarily involved?
3. What are the reasons for the undesirable influence from unfree countries?
4. What impact does this influence have on Islamic communities and society as a whole?
5. What possibilities do the social and religious organisations in the Netherlands currently have to combat this undesirable influence?
6. What measures have been taken and what powers do national and local government bodies (e.g. municipalities) have to combat undesirable influence from unfree countries and what is known about the effectiveness or ineffectiveness of these measures?
7. What other measures could be taken to combat undesirable influence from unfree countries?

## **4 Approach adopted**

The preparation group propose conducting a parliamentary inquiry (*parlementaire ondervraging*), in other words, a “*brief parliamentary inquiry focusing on obtaining verbal information by holding hearings with people under oath.*”

This is because a lot of research has already been conducted but this has not so far provided sufficient understanding of the issue or potential solutions. In view of the nature of the issue, which often happens away from public oversight, a regular hearing cannot be expected to be sufficient. In addition, a parliamentary inquiry offers the opportunity for a short-term, in-depth investigation of several concrete case studies.

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<sup>6</sup> [Parliamentary document 29 614, no. 108, annex 1](#)

A parliamentary inquiry generally involves questioning under oath.<sup>7</sup> Exceptions can be made in exceptional cases when hearing witnesses. Exceptions are not possible for experts.<sup>8</sup> However, it is possible to organise a hearing with experts outside the parliamentary inquiry process. The preparation group feels it is necessary to use this parliamentary inquiry mechanism in this case in order to make it possible to hold hearings under oath with witnesses and experts.

At first glance, it does not seem necessary to demand documentation as would normally happen in a regular parliamentary inquiry. However, if the interrogation committee deems it necessary to do this, they will need to decide this and notify the House of their decision in writing.

The preparation group suggests dividing the parliamentary inquiry into two parts: a general part, in which hearings are held with several financial and legal experts on the issue in general and a part which investigates several ‘unfree’ countries as case studies.

The case studies can cover all aspects and questions: the method of influence, the underlying reasons for it, the consequences of it, the measures taken by the social and religious organisations in question and (government) bodies in the Netherlands, the effectiveness of these measures and other potential solutions.

In view of the limited scope of a parliamentary inquiry, it seems sensible to start by including no more than two case studies to enable the inquiry and a number of hearings to be limited but still allowing different forms of influence to be investigated. Saudi Arabia and Turkey would seem to be potential options.

The preparation group is aware of the fact that inhabitants from these countries cannot be obliged to attend the hearing, because they are not covered by the Parliamentary Inquiries Act (WPE). They can only appear on a voluntary basis: in accordance with Section 14 of the WPE, only every Dutch citizen, every resident of the Netherlands, anyone otherwise in the Netherlands and legal persons based in the Netherlands or who exercise their business activities wholly or partly in the Netherlands are obliged to cooperate if an interrogation committee demands this.

In view of previous experience with parliamentary inquiries and the inquiry committee on tax structures, it is proposed to set aside five days for this and not to have any more than three hearings per day. That means that up to 15 people can be questioned.

In order to limit the number of hearings, some witnesses/experts can be questioned about several cases.

## **End product**

The inquiry committee will compile a report as its end product, detailing the most important findings and providing an account of the parliamentary inquiry. A verbatim report will also be

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<sup>7</sup> Parliamentary document 30 415, no. 3, p. 21

<sup>8</sup> Section 13 of the Parliamentary Inquiries Act (*Wet op de Parlementaire Enquête*)

compiled on the hearings. These documents will be presented to the House of Representatives.

Should the interrogation provide insufficient information or raise new and additional questions, the inquiry committee will put forward suggestions for a follow-up. The House of Representatives can then decide on whether further action is to be taken.

## **5 Proposed parliamentary inquiry schedule and organisation**

The aim is to complete this inquiry in 2019. The parliamentary inquiry can be held in November. Including preparations, the hearings themselves and the compilation of the report, this will involve a total of five months.

<b>Month</b>	<b>Activity</b>
26 June 2019	Presidium decides on inquiry proposal
Last week of summer recess	House of Representatives makes decision
Late June early September	Parliamentary inquiry committee convened Staff collect and analyse relevant information
September	Preparatory reading, deciding on case studies, possibly requesting documents, determining which witnesses and experts the committee wishes to invite to hearings, training on questioning and media training
October	Invite witnesses and experts and prepare lists of questions for hearings
November	Conduct hearings
Before the Christmas recess (20 December to 13 January)	Compile and present report
January, February 2020	Evaluation, debate on report with House of Representatives and discharge

## **6 Budget**

The budget has been agreed with the Financial Economic Department (FEZ) and the costs are estimated to be around € 100,000. Since the parliamentary inquiry is covered by the Parliamentary Inquiries Act 2008 (WPE), for which the Ministry of Foreign Affairs and Kingdom Relations (BZK) manages the financial resources, the costs of the inquiry will be charged to BZK. This means that it will not have any impact on the knowledge and research budget the House of Representatives has available.