

Dutch government uses terrorist threat to justify greater police powers

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The Dutch government of Jan Peter Balkenende is seeking to extend further the powers of the police and state. To this end it has now released details of five arrests made earlier in the summer. Those arrested are suspected of plotting bomb attacks on parliament, Schipol Airport, the Borssele nuclear plant and the Leidschendam headquarters of the security services (AIVD).

In June an 18-year-old Moroccan man was arrested in Rotterdam on suspicion of involvement in the robbery of a supermarket. Police claim that a subsequent raid of his home discovered floor plans of possible bomb targets, as well as chemicals and combat equipment. He had previously been returned to the Netherlands by the Russian authorities after a failed attempt to join Islamic militants in Chechnya. After his arrest the government issued a national terrorism alert on July 9, which remains in force today, although no explanation for it was offered until now.

The other four suspects were arrested in Rotterdam at the end of July. Police say they found weaponry and videos “showing interviews with people preparing to commit suicide attacks”. The four men are accused of making video footage of buildings in preparation for bomb attacks. The Justice Ministry has said that there is “no direct link” between these suspects and the earlier arrest. In a separate incident, four men were arrested in the Netherlands on suspicion of preparing an attack in Britain.

The Netherlands may well face attacks by Al Qaeda. Dutch troops are involved in the ongoing occupation of Iraq and Dutch oil companies have an interest in the region. British intelligence services have also warned of the possibility of attacks on Dutch soil.

However, the government has been talking up the threat of such an attack for some months now to justify strengthening the powers of the police. The government’s latest proposals are the most extensive yet. They include extending by 10 days the period a suspect can be detained for questioning, and granting prosecution services authority to obtain information from associations and foundations.

They also greatly increase the scope of surveillance, by

making it easier for the police to obtain permission to monitor individuals. Under the proposals the intelligence services would also be able to mount surveillance operations or bug telephones on the basis of an unproven suspicion. At present such measures can only be undertaken where there are “substantial grounds” for suspicion.

The government is also proposing to establish a new national anti-terror co-ordination centre (NTCb). This would have responsibility for gathering and analysing intelligence data, and coordinating subsequent security measures. The Public Prosecutor’s Office (OM) is also to be given powers to determine where preventative searches should be conducted under conditions of direct threat. This would effectively give the OM the power to order body searches in any given area.

The most far-reaching changes, though, are those proposed at the level of governmental responsibility for these powers. Previously the authority for emergency domestic measures rested with the Interior Ministry. Under the new proposals this would pass to the Justice Ministry. Justice Minister Jan Piet Hein Donner has already been given responsibility for coordinating anti-terrorist measures. Under the proposed changes he could assume control of other ministries and be able to order evacuations, roadblocks and the cancellation of air and train travel. Donner would also have direct responsibility for setting the level of security alert. This system, modelled on that in the US, is to be introduced next year.

Donner has moved to reassure critics that existing legislation would be used. He said that he was not being given the right to use every means “because the sky would then be the limit”. But that is what the cabinet offered him when they granted him authority to “take all necessary measures” during emergencies.

The cabinet has approved the proposals, which then have to be ratified. The usual procedure is for a debate and vote in parliament. Prime Minister Balkenende could, though, appeal directly for their immediate implementation by royal decree. Releasing details of the arrests is designed to smooth

the path that he chooses.

At the same time as the proposed extension of domestic police powers, Holland has also joined up with the French, Italian, Spanish and Portuguese governments in forming a five-nation paramilitary police force for crisis situations. The five countries have in common that their police forces are based on a military statute. The European Gendarmes force will comprise some 800 active officers, with another 2,300 reserves.

This is the real content of Balkenende's recent comments that the European powers have "achieved a united Europe without uniting Europeans". Speaking as the current European Union President, Balkenende told the newspaper *NRC Handelsblad* that such a feeling of unity could be stimulated by reaction to joint external threats like terrorism. He also said that economic competition with the US and Asia would have the same effect.

He is not the only politician who has spoken openly of the uses to which they are putting the threat of Al Qaeda attacks. Several revealing comments from within the government have highlighted the way in which the threat is being manipulated to justify expanding police powers. July's heightened security alert, for example, was accompanied by a public statement from Interior Affairs Minister Johan Remkes.

Remkes, who is currently reorganising the police force, stressed the necessity for the alert because of the possibility that terrorists would attack "soft targets". These are places where large groups of people gather, like shopping centres and railway stations, and which are considered difficult to secure against attack. This category also includes public gatherings. When details were eventually released of the arrests, however, all the suggested targets were traditional "hard targets", places with restricted access where security is tight.

Similarly, government officials are quite clear on the use being made of the arrests. One Justice Ministry official, speaking to the press anonymously, said, "We have no concrete proof of attack plans on those buildings. But we're not taking a wait-and-see attitude". A Justice Ministry official emphasised that there was no single organisation threatening the Netherlands, but separate groups comprising up to 150 individuals. One analyst from the Clingendael Institute of International Relations admitted that "[t]he materials [found during the raids] may not be very impressive", but claimed the government must know of more going on because "otherwise the terror alert" would have been rescinded.

It suits the government's purposes to maintain this capacity for wide-ranging surveillance as it is in the process of dismantling social provisions and working conditions. As

of November this year, the government is to end its policy of generally extending wage increases. At present the Minister of Social Affairs has the authority to extend a collective labour agreement to concerns not directly bound by the original agreement, if requested by one of the parties.

Rejection of this provision goes hand in hand with other attacks. The pension system is being reformed, to penalise workers financially if they try to retire before the age of 65. Trade unions are critical of the government's encouragement of longer working hours without any increase in wages.

The three trade union confederations in the Netherlands—the FNV, CNV and MHP—are suspending all formal negotiations with the government and employers until early in October. During this period they are threatening strikes and demonstrations to protest the end of collective bargaining agreements.

The unions have collaborated in this situation. A press statement issued by the three confederations explains that, "social partners"—i.e., the unions themselves—"agreed to a wage freeze to help the Dutch economy out of recession". This was provisional on the government granting them concessions on social benefits and pension rights. The government, though, remained "inflexible" on negotiations of pension and retirement rights, and simply ignored earlier agreements on reform of the Disability Act. Even the trade unions state that they have "lost all hope that consultation with the government will put an end to the destruction of social security".

Despite the unions' assistance in facilitating these developments, their reaction indicates the likelihood of a major social conflict erupting in the Netherlands, under condition where the state is seeking to strengthen its police powers.



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