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**Our reference**  
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**Appendix**  
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*Please quote date of letter  
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not raise more than one  
subject per letter.*

Date 4 November 2022  
Concerning November briefing on organised, subversive crime

Sometimes, it seems as if we in the Netherlands still think we can afford to be naive. 'That kind of thing doesn't happen here, not in the Netherlands', 'Surely that one pill doesn't matter', 'It really isn't as bad here as it is in Italy'. But nothing could be further from the truth. The assassinations of innocent people alone are evidence enough. To counter organised crime as effectively all possible, every aspect of it must be tackled. The government is joining forces and further refining the ambitions set out in the Coalition Agreement based on 10 priority areas. The government is strengthening its strategy by focusing on components within these priority areas that require additional decisions, interpretation or direction, because they can hinder effective policy against subversive crime. This is explained in further detail in Appendix 1.

The approach to tackling organised, subversive crime has expanded significantly in recent years: from a regional strengthening movement in which projects were set up within each region in combination with a legislative agenda to a joint cohesive strategy aimed at containing organised crime from all sides. Prevention, disrupting the revenue model and breaking down criminal power structures, punishment and protection are the key points in this approach, which is coordinated by my ministry but truly put into action by the various partner organisations.

*Current status of the approach*

In developing a cohesive approach, we listened carefully to the partners who do this important work in order to understand the opportunities and obstacles they encounter on a daily basis. We have reached a phase in which the low-hanging fruit have largely been picked. There are few quick wins left in what is sure to be a lengthy battle. The devastating effects of organised crime on our society manifest themselves in many different ways and places. From ports to coffee shops, from 'turning a blind eye' to mistaken-identity killings: the problem has many faces. Combating it therefore requires an approach in which the government acts as a single authority and stands shoulder-to-shoulder with all public and private sector parties involved. That strategy has taken shape in the recent period, and we are now moving full steam ahead.

In this letter, I first outline the current status of the approach based on the key points. I then discuss the funding, results and prospect of social impact. This letter is accompanied by six appendices (see the end of the letter for an overview).

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## **Prevention**

### *Prevention*

In vulnerable communities in which young people grow up in families struggling with poverty, debt and unemployment, the temptation for these youths to earn fast money is great. There can be many reasons for taking the step into the criminal world. One person may want to make some quick extra cash to pay their rent, another may want to buy designer clothes to fit in and yet another may unknowingly be sucked in by 'friends'. And once they become involved in crime, it is not easy to get out.

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I am therefore investing heavily in these most vulnerable communities, as is the Minister for Legal Protection, to prevent small-time crooks from becoming big-time criminals. We previously explained this approach in our letter of 1 July 2022.<sup>1</sup> The first 15<sup>2</sup> selected municipalities have since submitted their plans for a community-based approach. These plans are now being reviewed. The aim is to determine and finance the amounts for each municipality by the end of the year. This means the 15 municipalities can get straight to work at the start of the new year to make a real difference for the children and young people in their communities.

This broad, integrated, preventive approach is a growing and learning approach: an approach that gives young people opportunities, while also setting clear boundaries and thus reducing the informality that characterised previous approaches. The goal is to offer young people the prospect of a life outside the world of organised crime, for example by guiding them towards jobs that match their talents. At the same time, law enforcement and mayors must actually intervene when someone crosses the line. The intention here is that the national government, municipalities and partners involved will collectively and collaboratively measure and demonstrate the progress on an annual basis. Both positive and negative experiences can lead to adjustment or refinement of the approach. Conducting and applying scientific research, monitoring and learning from each other in the form of learning communities are part of this learning approach. The aim is to maximise the impact of the local approaches and to increase, measure and highlight the effectiveness of the investments and interventions.

These efforts build upon the incidental preventive approach that was launched in eight municipalities in 2020.<sup>3</sup> As shared with your House on 10 October, Bureau Beke has carried out research in these eight municipalities on behalf of the Research and Documentation Centre (WODC). The objective of the research was to gain greater insight into the scientific basis of the approaches and then to translate these insights into a knowledge map.

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<sup>1</sup> Tweede Kamer, vergaderjaar 2021 – 2022, 28 741, nr. 86

<sup>2</sup> De gemeenten Nieuwegein, Leeuwarden, Groningen, Heerlen, Breda, Schiedam en Lelystad, naast de oorspronkelijke gemeenten: Amsterdam, Arnhem, Den Haag, Eindhoven, Rotterdam, Tilburg, Utrecht en Zaanstad.

<sup>3</sup> Tweede Kamer, vergaderjaar 2019 – 2020, 29 911, nr. 254

Municipalities can use this knowledge map when drawing up and further developing a cohesive programme with the right interventions. <sup>4</sup> Beke concludes that the interventions implemented by the eight municipalities are largely based on scientifically proven risk factors. <sup>5</sup> The Ministry of Social Affairs and Employment (SZW) has also commissioned research by Regioplan in the eight municipalities to examine how 'work' can be better utilised as a protective factor in the local approaches. A second study by SZW (carried out by Significant in three vulnerable communities) shows that, in combination with other factors, low income and a lack of paid work increase the likelihood of becoming involved in subversive and other crime. Beke concludes that the interventions implemented by the eight municipalities are largely based on scientifically proven risk factors. <sup>6</sup> Using interventions to reduce the impact of these risk factors can prevent young people from turning to or becoming more deeply entrenched in crime. The comments and recommendations from the abovementioned reports will be included in the further elaboration of the learning approach. <sup>7</sup>

#### *Authorities of mayors*

To keep communities safe, it is important that mayors can maintain or restore public order in unstable situations. Mayors can exercise various powers to this end. The authority of mayors to shut down a residence when public order is disrupted by conduct in that residence does not appear to be sufficient in all cases. In the event of serious violence – as we see with organised, subversive crime – and when an arms cache is discovered, mayors must also have the authority to shut down a residence if the public order around the premises is (or is likely to be) disrupted. The bill to include this authority to shut down premises in the Municipalities Act – and for Caribbean Netherlands lieutenant governors in the BES Public Entities Act – has recently been sent to your House. <sup>8</sup>

#### *Reducing drug use*

Drug use helps to maintain a criminal industry; without demand, after all, there is no supply. In this criminal industry, criminals earn a lot of money at the expense of the things we cherish. Drug use is also never without risk to public and overall health. Reducing drug use is therefore one of the priority areas in the government-wide approach (see Appendix 1). Partly in view of this, the State Secretary for Health, Welfare and Sport sent a letter to your House on 7 July 2022 in which he explains his commitment to preventing and reducing drug use. In the letter, the State Secretary outlines an approach aimed at drug prevention in

<sup>4</sup> Tweede Kamer, vergaderjaar 2022 – 2023, 29 911, nr. 375

<sup>5</sup> Dit zijn omstandigheden, specifiek gedrag of kenmerken van jongeren, waarvan de wetenschap heeft aangetoond dat deze het risico vergroten dat zij de criminaliteit ingaan of hiervoor worden geronseld

<sup>6</sup> Dit zijn omstandigheden, specifiek gedrag of kenmerken van jongeren, waarvan de wetenschap heeft aangetoond dat deze het risico vergroten dat zij de criminaliteit ingaan of hiervoor worden geronseld

<sup>7</sup> Een meer uitgebreide beleidsreactie is opgenomen in bijlage 5

<sup>8</sup> Tweede Kamer, vergaderjaar 2022 – 2023, 36 217, nr. 2

various settings. The family is one of these settings. Parents have more influence on their children's substance use than is often thought, which is why the Trimbos institute is being funded to support parents in their dissuasive role. Specific attention is also devoted to reducing drug use among students and in the workplace. The State Secretary will provide additional details on this next year.

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The prevention approach also focuses on the local setting. In 2023, for example, the Trimbos institute will further develop the Model Plan for Local Drugs Policy, focusing on the overlap between the domains of care and safety in order to implement a more comprehensive drugs policy at the local level as well. In developing this plan, attention will also be paid to the fact that drugs should not be part of a normal, healthy lifestyle. Our efforts will include helping municipalities to launch targeted, evidence-based interventions to this end at a local level. We will additionally consider the results of existing local initiatives, such as the campaign aimed at users in Rotterdam and SKIP in East Brabant, so that we can learn from each other's experiences.

Initiatives have also been developed in the area of legislation. To combat the production and trade of new psychoactive substances, a bill has been drawn up that was recently submitted to your House.<sup>9</sup> To combat the use of nitrous oxide as a recreational intoxicant, a draft Decree has been introduced that places nitrous oxide on list II of the Opium Act. The Council of State has since issued a recommendation on the draft Decree, and the detailed report is currently being prepared. Finally, a bill has been sent for advice to the advisory division of the Council of State to give the lieutenant governors of Bonaire, Sint Eustatius and Saba the previously promised authority to shut down premises associated with drugs.

### **Disrupting networks and revenue models**

#### *International offensive*

International criminal networks operate both within the Netherlands and abroad. This requires an international solution. The Minister of Foreign Affairs and I have therefore launched an international offensive. Joining us are the Dutch services that already actively work with foreign partners, such as the Public Prosecution Service, the police, Customs, the Royal Netherlands Marechaussee and the Fiscal Intelligence and Investigation Service (FIOD).<sup>10</sup> The aim is to act as a single authority to strengthen our mutual cooperation and our cooperation with foreign partners, and to help achieve the objectives of the national approach. A total of €20 million will be available on a structural basis for this purpose from the Coalition Agreement funds.<sup>11</sup>

Strengthening international partnerships is one of my priorities. After all, organised drug-related crime affects all our countries and has no regard for national borders. It is not only the Netherlands that needs other countries – both

<sup>9</sup> Tweede Kamer, vergaderjaar 2021 – 2022, 26 159, nr. 2

<sup>10</sup> Op 28 juni informeerde ik uw Kamer over het internationaal offensief tegen georganiseerde criminaliteit dat ik gezamenlijk met het ministerie van Buitenlandse Zaken en andere Nederlandse partners zoals andere ministeries, het Openbaar Ministerie, de politie, de Douane, de Koninklijke Marechaussee (KMar) en de opsporingsdienst van financiële en fiscale criminaliteit (FIOD) ben gestart. Tweede Kamer, vergaderjaar 2021 – 2022, 29 911, nr. 355.

<sup>11</sup> Zie voor verdere toelichting van de uitwerking bijlage 2.

in Europe and elsewhere – for our strategy to succeed: other countries need us as well. Together with Belgium, France, Spain, Germany and Italy, we have formed a coalition to join forces in the fight against organised drug-related crime. We have developed an action plan and are now working on the implementation phase.

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Within this approach, I am devoting special attention to the Latin American and Caribbean (LAC) region. Consequently, I am working with our partners – both within and outside the Kingdom – to create a programme plan focused on organised crime in the LAC region. I am therefore pleased that tackling organised crime has also been prioritised in the Judicial Four-Party Consultation in the Kingdom. In addition, I am working to strengthen cooperation with other strategic partners, including other EU Member States, the North American countries and the United Kingdom.

In recent months, it has once again become clear that drug-related crime literally and figuratively knows no bounds. Several violent incidents took place in Antwerp around the summer, including shootings, which our Belgian colleagues have linked to drug-related crime. These incidents also involved suspects from the Netherlands, most of whom are young. At the end of September, the Belgian Minister of Justice was placed under heightened security due to serious threats. Rapid joint action by the Dutch and Belgian police resulted in the quick arrest of four suspects. I am closely following the concerning situation in Antwerp and am in close contact with the Belgian Ministers of the Interior, and Justice and the North Sea on this matter. Recent events show that our countries, ports and therefore criminal networks are intertwined. These events also show that criminals move when they feel cornered. Belgium and the Netherlands stand side by side in the fight against subversive crime, and I will continue working to ensure that our partnership is a success.

#### *Approach to logistics hubs*

A large part of the Dutch illegal drug industry is tied to the import of drugs from abroad. To make the Netherlands unattractive as an import and transit country, we are making it increasingly difficult for criminals to abuse our logistics hubs. To this end, I am investing in an approach for the five logistics hubs where the smuggling problem is the greatest, or where scientific research has shown there are significant risks for large-scale drug smuggling. I described this approach in my letter on the Action Plan against drug smuggling via mainports.<sup>12</sup>

As a precursor to this action plan, a one-off amount of €13 million has been made available for these logistics hubs in 2022: the port of Rotterdam (€5 million), the ports of Zeeland/West Brabant (€3 million), Amsterdam Airport Schiphol (€3 million), the ports in the North Sea Canal area (€2 million) and the flower auctions (€0.5 million). These funds have been used to take incidental and other measures, such as installing additional cameras and physical barriers and expanding the introduction of biometric access control.

Furthermore, previously launched programmes will be continued. A specific example of a measure that has been funded with incidental funds is Amsterdam Airport Schiphol's resilience campaign. In the public-private partnership against subversive crime at Amsterdam Airport Schiphol, investments have been made in

<sup>12</sup> De brief waar naar wordt verwezen is gelijktijdig met deze brief naar de Tweede Kamer verzonden.

the Sterke Luchthaven ('Strong Airport') campaign to make airport personnel resilient to criminal interference. As a result, knowledge and awareness of the dangers of subversive crime and the provision of reporting routes are becoming increasingly embedded in the businesses at Schiphol. These efforts have resulted in more reports and alerts, exclusion of dishonest airport personnel and changes to regulations.

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#### *Public-private partnerships*

Public-private partnerships against organised crime have also focused on the transport sector, including through additional investments in the Transport-Facilitated Organized Crime programme aimed at increasing resilience in the industry. In collaboration with the real estate sector, checklists for screening rental housing and retail/office spaces have been developed, and a web dossier has been compiled with publications and practical examples on the Centre for Crime Prevention and Safety (CCV) website. A campaign launched by Crimestoppers NL this year is focused on landlords and real estate agents, with over 50 participating municipalities.

A structural foundation has additionally been laid under the Platforms Veilig Ondernemen (Safe Enterprise Platforms). Increasing the strength and effectiveness of the 10 regional platforms was the top priority, with the aim of improving business owners' resilience to criminal activity. Each regional platform now has a full-time manager and several advisers. These advisers are actively engaged in their region on a daily basis to keep business owners resilient to crime. A national expertise centre has been set up at the Centre for Crime Prevention and Public Safety that supports the regional platforms and works with national sector organisations.

This spring, the Minister for Legal Protection and I spoke with private sector partners, the police, the Public Prosecution Service and a group of mayors about how we can form a united front against organised crime by strengthening public-private partnerships. The results of these discussions will be incorporated into the Actieprogramma Veilig Ondernemen 2023-2026 (Safe Enterprise Action Programme 2023-2026), which I will send to your House before the Christmas recess. This programme includes the development and broad application of good practical examples. An example of this is the appointment of confidential advisers in various sectors. Since this year, a confidential adviser has been available for business owners in the agricultural industry. This adviser helps farmers and horticulturalists when they suspect a crime or feel unsafe. The confidential adviser also serves as a liaison between the business owner and the government. Anyone who works in a rural area can submit reports, concerns or questions to this confidential adviser, with the aim of increasing perceived safety, trust and willingness to report. The initial findings show that these business owners are more open to help and advice because they have contact with someone from their own industry or sector. The confidential adviser also has a good network within the government and can therefore build a bridge to prevent and combat new and existing criminal activity.

#### *Approach to criminal money flows*

The criminal revenue model is an essential focal point of the fight against organised crime. Criminal money is used to buy (new) drugs, weapons and accomplices and to invest in our society. By disrupting and reducing criminal money flows and intensifying the hunt for criminal money, the subversive effects

of all that money – namely power and influence in the underworld and mainstream society – will diminish. In April 2022, I informed your House about the action plan for criminal money flows along three lines: preventing criminals from earning so much dirty money; preventing illegally earned money from finding its way into our legal world as well as tracking down criminal networks; and seizing criminal assets.<sup>13</sup>

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Tackling money laundering prevents criminal assets from reaching our legal financial and economic structures, limits the power and influence of criminals on our society and the rule of law, and safeguards the integrity and security of the financial system. On 23 September 2022, the Minister of Finance and I shared the policy agenda to tackle money laundering with your House.<sup>14</sup> This agenda states that multiple national and international studies have concluded that the fight against money laundering in the Netherlands has undergone positive developments and has a solid foundation. The government does see opportunities for further improvements in a number of areas, however. In the spring of 2023, your House will be briefed on the progress of the priorities and follow-up actions from this policy agenda.

In June 2022, the Netherlands Court of Audit issued a report on confiscation of criminal assets.<sup>15</sup> Based on the recommendations from the report, the confiscation chain<sup>16</sup> will continue its efforts in the years ahead to better organise, facilitate and monitor cooperation between the partners in the investigation process and in the confiscation chain.<sup>17</sup> To this end, various initiatives are already underway, such as the development of the assets dossier and the confiscation information system. The next Security Agenda (2023-2026) will once again include objectives for tackling criminal money flows, including a confiscation objective.<sup>18</sup> We are also working to provide better insight into results and developments in the area of criminal money flows by setting up monitoring for these money flows. For relevant statistics relating to money laundering, this process has already been initiated as part of the abovementioned policy agenda to tackle money laundering. In November, I will be speaking with various professional and scientific experts to jointly identify obstacles in the current approach and partnerships and to come up with potential solutions.

The hunt for criminal money will be intensified, including through the possibility to seize criminal assets when a suspect cannot be convicted. A statutory regulation for 'non-conviction-based confiscation' (bill for the confiscation of criminal goods) is being prepared. This concerns a civil-law procedure for the seizure of valuable goods with a criminal origin. The aim is to remove these goods from society so

<sup>13</sup> Tweede Kamer, vergaderjaar 2021 – 2022, 29 911, nr. 348: bijlage Plan van aanpak criminele geldstromen

<sup>14</sup> Tweede Kamer, vergaderjaar 2022 – 2023, nr. 2022D37509: Beleidsagenda aanpak witwassen: streng waar nodig, met ruimte waar mogelijk en meten om te weten

<sup>15</sup> Algemene Rekenkamer (2022). Strafrechtelijk afpakken van crimineel vermogen: Veel gezaaid en beperkt geoogst

<sup>16</sup> De (strafrechtelijke) afpakketen bestaat uit politie, FIOD, OM, rechterlijke macht en het CJIB, verenigd in het Coördinerend Beraad Afpakketen.

<sup>17</sup> Voor een toelichting op de opvolging van de moties over het rapport van de Algemene Rekenkamer dan wel het afpakken van crimineel vermogen verwijs ik naar bijlage 3.

<sup>18</sup> De brief waar naar wordt verwezen is gelijktijdig met deze brief naar de Tweede Kamer verzonden.

that they cannot be used to commit new criminal offences and crimes, even if no suspect is convicted of a specific criminal offence. The draft bill to strengthen the approach to subversive crime II also includes the authority for FIU-the Netherlands to have a bank suspend the execution of a financial transaction. During an analysis by FIU-the Netherlands, this authority can prevent money that may originate from or be intended for criminal activity from being diverted before it can be confiscated as part of criminal proceedings. Both bills will soon be submitted for advice to the advisory division of the Council of State.

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Criminal activities and criminal money flows are not limited to Dutch territory. To effectively disrupt these criminal money flows, it is crucial that we strengthen our international partnerships. We are promoting cooperation with countries that deserve extra attention, for example by concluding treaties and expanding the network of Dutch liaisons. Finally, we are exploring the possibilities for public repurposing of confiscated property, especially in those communities hit hardest by the effects of organised crime. The social repurposing pilot is currently in the final phase of the local decision-making process and will be launched in the near future. Next year, I would like to set up more pilot projects to gain experience with public repurposing of confiscated assets, with the ultimate goal of establishing a permanent scheme to this end. Structural funding has been earmarked for this from 2023.

#### *National Alliance against Subversive Crime (NASC)*

In the letter of 25 May 2022, I announced that the partnership between the Dutch Tax and Customs Administration, Customs, the FIOD, the Royal Netherlands Marechaussee, the Public Prosecution Service and the police will become operational in an accelerated time frame with a sharper focus and effective deployment of capacity and will continue under the name NASC. In that letter, I promised your House that I would provide further details regarding the financial consequences of the above. In doing so, I am also fulfilling the Standing Parliamentary Committee's request<sup>19</sup> to respond to the article by Follow The Money by providing insight into how the funds for the Multidisciplinary Intervention Team (MIT) were distributed and how they will be spent based on the accelerated operationalisation.

Following my discussions with the parties involved in the MIT, there seemed to be a consensus on the need for multidisciplinary collaboration to more effectively tackle subversive crime. There was also criticism regarding the results that had been achieved. To facilitate effective deployment of capacity, I have asked the partner organisations and their authorities to draw up an action plan with a clear operational focus. The action plan describes the focus for the next 18 months, starting on 1 September 2022, including the topics to be addressed and the intended results. This plan will run until March 2024 and will be implemented under the leadership of the recently appointed NASC director.

The action plan focuses on untangling the financial and other interconnectedness of the underworld and mainstream society by introducing targeted interventions to prevent our social infrastructure from being abused for criminal purposes.

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<sup>19</sup> Verzoek van de vaste commissie voor Justitie en Veiligheid aan de minister van Justitie en Veiligheid, verstuurd op 20 september 2022 met als kenmerk: 2022Z17051/2022D36434.



Within this framework, the action plan is aimed at combating abuse of the Netherlands as a trading country for criminal value transfers and disrupting criminal business processes. There are four topics of focus in this regard: Trade-Based Money Laundering (TBML), financial service providers, logistics service providers around the Dutch hubs and tackling corruption and violence.

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The content of the action plan serves as a basis for the distribution of the financial resources among the participating organisations for the purposes of cooperation in the NASC. The refined operational focus results in a difference of around €35 million between the funds originally made available for the MIT on the one hand and the funds already secured for the implementation of the action plan on the other. At the moment, I am making arrangements with the six participating organisations regarding how the remaining amount will be used to reinforce each of the organisations concerned, so that the subversion funds will be optimally and effectively spent on the broad strategy to tackle organised and subversive crime. Appendix 2 contains a detailed financial overview showing the difference between the originally planned FTE and funds for the MIT, compared to the amount of FTE and funds required for the implementation of the NASC action plan.

### **Punishment**

By focusing on prevention, disrupting the revenue model and breaking down criminal networks, we aim to reduce organised crime and limit its devastating effects on society. If criminal offences are nevertheless committed, there must be a strong judicial response. For this to occur, organisations involved in the criminal justice system must have sufficient capacity, tools and options. On Budget Day in 2021, €159 million was made available to strengthen integrated enforcement, investigation, prosecution and adjudication.<sup>20</sup> These funds are intended for the police, the Public Prosecution Service, the judiciary and the Probation Service, among others.<sup>21</sup>

We will continue to reinforce our criminal justice strategy. A total of €25 million has been made available for this purpose from the Coalition Agreement funds (see also Appendix 2), to be put towards additional capacity, new legislation and expansion of the existing tools. This ranges from various minor amendments to current laws and regulations in order to eliminate barriers to implementation, such as expanding the options for disqualification, to larger projects like exploring the possibilities to treat certain types of suspects and convicts differently throughout the entire system. We are specifically looking at what we can learn from the mafia approach in Italy and the legal frameworks that have been developed there.

We are also examining how to further strengthen the collaboration between investigative services themselves and between investigative services and the Public Prosecution Service, operationally as well as tactically and strategically. We must ensure not only that the criminal justice approach identifies individual criminals as targets, but that more time and capacity are

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<sup>20</sup> Tweede Kamer, vergaderjaar 2021 – 2022, 29 911, nr. 329.

<sup>21</sup> Deze organisaties rapporteren bijvoorbeeld in het Halfjaarbericht Politie (Eerste van 2022 is te vinden onder referentie Tweede Kamer, vergaderjaar 2021 – 2022, 26 628, nr. 1098) en het Jaarbericht Openbaar Ministerie (De versie over 2021 is te vinden onder referentie Tweede Kamer vergaderjaar 2021 – 2022, 28 844, nr. 248).

spent on dismantling networks than is currently the case. This requires a fundamentally different approach, a great deal of patience and excellent collaboration between all parties involved.

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There are also cases in which the use of traditional and innovative investigation methods alone is not enough to successfully track down and prosecute criminal ringleaders. A crown witness can be absolutely crucial in such cases. In recent years, the use of crown witnesses has led to significant breakthroughs in major criminal investigations into organised crime, particularly in assassination cases. This government wishes to take the next steps in order to more effectively track down and prosecute serious criminals and their networks.<sup>22</sup> One of these steps is to improve the crown witness scheme by increasing its effectiveness.<sup>23</sup>

Successfully tracking down, prosecuting and convicting criminal ringleaders and networks is an essential component of an effective approach. However, the resulting effect is (partially) negated if a criminal can continue their criminal activities and continue to direct the criminal network during pre-trial detention. The prison system is confronted with detainees who have tremendous power and resources and seem intent on using all possible means to continue their criminal practices while in detention or to escape. Because the current legislative and regulatory framework is inadequate and more is needed, the Minister for Legal Protection is taking measures in the short, medium and long term to create a solid legislative framework in order to stay one step ahead of criminals and prevent continued criminal activity during adjudication and detention. Your House was informed about this in a letter on 26 September 2022.<sup>24</sup>

### **Protection**

People who work on the front line of the approach can be vulnerable to the pressure exerted by organised criminals to bend things to their will: if not voluntarily, then by force. The government believes it is important to protect these individuals, first and foremost by making them and the organisations they work for more resilient. If necessary, we also provide physical protection in the form of surveillance and security.

### *Resilience*

In addition to actively tackling and disrupting subversive crime in the Netherlands, I am also committed to making our society more resilient. It is for this purpose that the Resilience against Subversive Crime network was set up in the summer of 2021. Members of this network meet every other month with the aim of learning from each other, connecting current initiatives and individuals in the area of resilience and thus accelerating policymaking. Participants in this network include various ministries (such as the Ministry of the Interior and Kingdom Relations, the Ministry of Finance and the Ministry of Defence) as well as relevant partners such as the Probation Service, Customs and the Netherlands Forensic Institute. Due to the broad composition of the network, it has also become a place where our implementation partners can easily share alerts and concerns, which in turn enables them to quickly consider solutions.

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<sup>22</sup> Coalitieakkoord 'Omzien naar elkaar, vooruitkijken naar de toekomst', pagina 20

<sup>23</sup> U bent hierover geïnformeerd in een brief die gelijktijdig met deze brief naar de Tweede Kamer is verzonden.

<sup>24</sup> Tweede Kamer, vergaderjaar 2022 – 2023, 29 911, nr. 374.

By coming together, inspiring each other and actively sharing policies and solutions, we can make Dutch society as a whole more resilient to the threats of organised and subversive crime.

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#### *Surveillance & protection*

The surveillance and protection system is a key component within the broad approach to tackling organised crime. It is the culmination of the combination of measures to prevent, disrupt and punish criminal activity. People whose work serves the democratic rule of law (such as judges and justices, public prosecutors, lawyers, journalists and local officials) must be able to do their jobs safely and without fear. The past few months have been an important phase in the strengthening and reinforcement of the surveillance and protection system. Under the leadership of the task force following recommendations from the Bos Committee, various initiatives have largely been completed or are in an advanced stage. These initiatives include focusing on the person to be protected, establishing a national control structure for the system, developing and implementing alternative protection concepts, designing security packages and strengthening the information unit. I informed your House about these projects in my letter of 1 November 2022.<sup>25</sup> The next phase is now beginning and should yield tangible results in day-to-day practice.

#### **Overview of funding, results and social impact**

##### *Funding*

In the Coalition Agreement 'Omzien naar elkaar, vooruitkijken naar de toekomst' [Looking out for each other, and ahead towards the future], it has been agreed that an additional €100 million will be made available each year to tackle subversive crime. These funds will go towards investigation and prosecution, including the improvement of the crown witness scheme (€25 million), the international offensive, including dealing with mainports (€25 million), tackling criminal money flows by focusing on facilitators and social repurposing of confiscated goods (€15 million), adjudication and detention, by expanding high-security session capacity and measures in the prison system (€30 million total) and a number of other measures (€5 million). A more detailed description of these amounts can be found in Appendix 2.

A structural amount of €694 million is available annually for the fight against organised, subversive crime. This amount has been made available under the 2017 Coalition Agreement (reinforcement of the approach to subversive crime), the 2020 Spring Memorandum (broad offensive against subversive crime), the 2022 Draft Budget (2021 Budget Day funds) and the 2021 Coalition Agreement.

Of the structural amount of €694 million, €104 million is for prevention, €238 for disrupting networks and revenue models, €55 million for punishment and €122 for protection. A further €166 million is available for strengthening the system, along with €9 million for subversive crime policy. A table showing the exact amounts can be found in Appendix 2.

In addition to the structural funding that has been made available, as of 2022, we will be investing €375 million in one-off funding (spread over a period six years). This investment will be used for purposes such as addressing the information

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<sup>25</sup> Tweede Kamer, vergaderjaar 2022 – 2023, 2022Z20667.

provision issues among individual partners in the criminal justice system, a measure aimed at strengthening the basis of the approach to subversive crime.

**Directoraat-Generaal  
Ondermijning**

#### *Overview of results and social impact*

A broad, structurally reinforced approach also requires a sustainable management and accountability method that provides insight into the results and effectiveness of the broad approach and shows that the funds have been spent efficiently.

**Date**  
4 November 2022

**Our reference**  
4273218-E

Between 2017 and 2022, the fight against subversive crime evolved from a regional strengthening movement and legislative agenda into a broad offensive. In the initial years, the strategy was explicitly aimed at activating and strengthening the power of the regions, focusing on local and regional issues. Prior to that period, available funding was mostly provided on a one-off basis (the Subversion Fund) and could only be spent on projects and initiatives with a term of three years. During the monitoring process, we examined what we could learn from the experiences within these projects, for improvements during the project term and for possible future efforts. To this end, a midterm review has been carried out and the WODC has commissioned an action-focused evaluation of the regional strengthening movement. A list of the projects financed from funding from the Subversion Fund can be found in the midterm review.<sup>26</sup> The final report on the WODC evaluation, carried out by Maastricht University and Erasmus University Rotterdam, will be available in the fall.

With the arrival of structural funding (the 2020 Spring Memorandum and the 2021 Budget Day funds; see Appendix 2 for details) and thus also the opportunity to structurally reinforce organisations with additional capacity, the attention has shifted from the temporary nature and impact of the project-based strengthening movement to the broad impact of the structurally reinforced approach across the board, at the local, regional, national and international level. This entails fundamentally strengthening the partners in the chain on the one hand, while at the same time focusing on the continuation of successful approaches, such as authoritative prevention and regional reinforcement, in which proven effective interventions are safeguarded and expanded. Finally, we are working on new, innovative measures, and through close monitoring and evaluation, we should be able to determine whether these measures are effective and where adjustments may be needed. In addition, we are always keeping an eye on whether other criminal phenomena and revenue models (such as environmental crime) should also be included in the approach to organised crime.

Developments in recent years have called for great urgency and firm decisiveness. It is not always clear in advance what the best or most effective approach is when it is obvious that intervention is necessary. With this in mind, it is crucial that we create and maintain the space to be flexible in order to respond to criminals' changing methods. We rely on the knowledge and expertise of our partners in developing and implementing all plans, and we ensure that we learn from the successes as well as from the things that do not go as hoped or intended. We do this by conducting research into the phenomena and structures associated with organised, subversive crime and evaluating our approach and policy accordingly.

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<sup>26</sup> Hiemstra & De Vries (2020). Midterm Review versterkingsplannen ondermijning. Bijlage bij Tweede Kamer, vergaderjaar 2020 – 2021, 29 911, nr. 292.

The report *Vizier op georganiseerde misdaad* [Organised crime under scrutiny] is available on [rijksoverheid.nl](https://rijksoverheid.nl) and [www.nederlandtegengeorganiseerdemisdad.nl](https://www.nederlandtegengeorganiseerdemisdad.nl). In this report, experts share their thoughts on how the fight against organised crime is going, their interpretation of what is happening and what they think needs to be prioritised in the year ahead. Before the summer of 2023, a subsequent semi-annual letter will follow with an updated qualitative and quantitative overview of the fight against organised, subversive crime.

**Directoraat-Generaal  
Ondermijning**

**Date**  
4 November 2022

**Our reference**  
4273218-E

### **In conclusion**

Tackling organised and subversive crime is a major challenge that requires broad engagement within the government and our society. We are working hard with the entire Dutch government and all public and private partners involved, and we will also be taking important steps to strengthen and broaden the approach in the period ahead. The steps must be taken now, because being naive and letting our guard down is no longer an option at this point. In the coming years, we will resolutely build upon the foundation that has been laid with unwavering urgency and a learning and growing approach. This is the only way we can turn the tide together.

The Minister of Justice and Security,

D. Yeşilgöz-Zegerius

### **Appendices**

- 1 Explanation of the government-wide approach to organised, subversive crime
- 2 Financial overview, including:
  - a. Current status of the National Alliance against Subversive Crime
  - b. Financial overview of the broad approach to subversive crime
  - c. Distribution of the 2021 Coalition Agreement funds
  - d. CW 3.1
- 3 Motions, commitments & legislative overview
  - a. Decision memorandum regarding the training order measure (TBO measure)
- 4 Response to the feasibility study on drug-related and other indicators
- 5 Response to Bureau Beke's research on the prevention approach
- 6 Decision memorandum regarding the November briefing on organised, subversive crime