

Appendix III

to the review report on
the multilateral exchange of data
on (alleged) jihadists by the AIVD

CTIVD no. 56

[adopted on 7 February 2018]



Review Committee
on the Intelligence and
Security Services

CTIVD no. 56

APPENDIX III

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Definitions

This list explains a number of terms used in the review report. In the descriptions provided, the CTIVD's aim was not completeness, but to try to give the reader as clear a picture as possible of the terms in question.

Processor	Term used in data protection law: the party which processes personal data on behalf of the controller.
Bilateral exchange of data	The exchange of data between the AIVD and a single foreign service.
Foreign service	An intelligence and/or security service of another state.
Evaluated data	Data that has been assessed for relevance to the performance of tasks.
Data protection	Safeguards for the protection of data as evident from legal rules and practice, for instance concerning the storage and destruction of data.
Exchange of data	The provision and reception of data.
Data processing	Collecting, recording, arranging, storing, updating, altering, retrieving, consulting or using information, disseminating information by means of forwarding, distributing information or any other form of making available of information, and the assembling, interrelating, protecting, exchanging or destroying of information (Article 1, preamble and (f), of the ISS Act 2002). The mere act of gathering data is also referred to as data acquisition.
Intelligence service	A service that conducts investigations regarding other countries for the purpose of identifying (potential) threats to the service's own national security.
Jihadist	A person who pursues violent jihad through his or her activities.
Multilateral exchange of data	The exchange of data within a group, i.e., with two or more foreign services simultaneously.

Unevaluated data	Data that has not yet been assessed for relevance to the performance of tasks (e.g. large quantities of metadata).
Personal data	Data relating to an identifiable or identified individual natural person (e.g. a name or a photograph). Article 1, preamble and (e), of the ISS Act 2002.
Risk assessment	An assessment that must be performed before the AIVD (or the MIVD) enter into a cooperative partnership with a foreign service or when the cooperative partnership intensifies. The risk assessment must be performed on the basis of cooperation criteria. The results of the assessment must be laid down in a weighting note.
Cooperation criteria	The criteria the AIVD (or the MIVD) must use in order to assess whether a foreign service qualifies for cooperation.
Cooperative partnership	Cooperation based on arrangements made among three or more intelligence and/or security services, targeted at a particular topic, geographical area or technical knowledge.
Target	A person or organisation that is being investigated by the AIVD or MIVD (Article 13 of the ISS Act 2002).
Security service	A service that conducts investigations into persons and organisations that potentially represent a threat to the continued existence of the democratic rule of law, or to security or other vital interests of the State, or to the security and readiness of the armed forces.
Controller	Term used in data protection law: the party which determines the purpose and means of processing personal data.
Weighting note	A document specifying the assessment of the extent to which a foreign service meets the cooperation criteria and which forms of cooperation are allowed.
ISS Act 2002	Intelligence and Security Services Act 2002. This law was in force at the time of the investigation by the CTIVD.
ISS Act 2017	Intelligence and Security Services Act 2017, replacing the Intelligence and Security Services Act 2002 (ISS Act 2002). On 14 February 2017, the House of Representatives adopted the bill. On 11 June 2017, the Senate approved of the bill. The ISS Act 2017 was published in the Bulletin of Acts and Decrees on 17 August 2017. At the time of adoption of this review report, the ISS Act 2017 is awaiting entry into force.

