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NOTE

From : Belgium, Netherlands and Luxemburg
To : Council
Subject : Police cooperation within the Benelux
- Joint Presentation on the JHA Council of 24 October 2008

Introduction

Belgium, the Netherlands and Luxembourg have a long tradition in regional cooperation in the field of internal security.

Already in 1962 a Benelux Treaty on mutual legal assistance has been concluded, which also contained provisions on a close cooperation between our police services.

The Benelux countries were also among the founding fathers of the Schengen cooperation.

In 1996 the Benelux Ministers of Home Affairs and Justice have signed the Senningen Memorandum of Understanding on the deepening of the cooperation in the areas of police, justice and immigration.

Consultation and tuning in of policies and priorities take place regularly, both on the level of the competent ministers and the senior officials and on the level of the police chiefs of the 3 countries.

In 2004 an ambitious Benelux Treaty concerning cross-border police intervention was signed.

The Benelux Treaty concerning cross-border police intervention of 8 June 2004

The Benelux Treaty concerning cross-border police intervention provides for:

- Assistance with a view to maintaining public order and security, including the common organisation or coordination of events and organised transportation – A very close practical cooperation in this field has been developed over the last few years;
- The possibility to carry out cross-border interventions in urgent cases;
- The supply of means and material;
- The direct exchange of personal data;
- The joint use of liaison officers;
- Far-reaching modalities on cross-border pursuit and observation – For the cross-border pursuit for instance it's possible to apprehend the persons, there are no longer limitations in terms of distance and time and it is also possible to pursue suspects;
- The possibility to set up cross-border missions of persons' protection;
- The possibility to set up joint police centres – For the moment we have a joint police centre in Heerlen and in Luxemburg. We are studying whether there is a need for joint police centres in other regions as well;
- The possibility to organise joint patrols and control actions;
- A close cooperation in the field of training and education, technical and scientific support, exchanging personnel;
- Clear provisions on the competencies on each others territory (authority, identification and visibility, use of force, transportation means, liability, etc.).

The implementation of the Benelux police cooperation: The Senningen action plan – An approach by making projects

In order to make the Benelux police cooperation as concrete and tangible as possible a Senningen action plan has been developed for 2007-2008. A number of specific objectives have been defined and for each objective the competent actors and a timing have been set out.

A similar action plan exists for the field of crisis and emergency planning.

In the field of police cooperation a whole series of projects is carried out at present. They are dealing with:

1) Joint priorities on the basis of a common assessment

We are working on the establishment of joint priorities for our border regions, on the basis of a common picture, assessment of criminality and insecurity.

2) Loans and purchases

The possibilities for making joint purchases and for lending of equipment are explored. A Benelux loan for use agreement has already been signed and an assignment centre will be established in order to harmonise the purchasing policies of the 3 countries.

3) Joint use of liaison officers

Various implementation agreements have already been concluded. We are striving for the common use of our network of liaison officers. In order to support this project several joint training courses and seminars have already been organised. A pilot project is running on the Balkan countries. It is examined if our liaison officers could be jointly used for the benefit of the competent services in the Benelux countries.

4) Joint training courses and exercises

Exercises and training courses are the pivot of international police cooperation. They are essential for the safety of the police officers themselves, as well as for the legality of police actions abroad and good neighbourly relations. Thanks to joint training courses and exchanges of instructors, all practical experiences are guaranteed in the regular police operations of each country.

The most recent exercise, in which almost 200 police officers participated, took place on 23, 24 and 25 September 2008 and dealt with the cooperation in the field of maintenance of public order and security.

In 2007 training courses have been organised on investigation of terrorist, radical and extremist websites.

5) Joint patrols and control actions (approach to traffic, drugs, migration, etc.)

Joint patrols, controls and checks have been taking place ever since the Benelux Treaty concerning cross-border police intervention was concluded. In 2008 a survey has been conducted which has confirmed that the police services in the border regions are investing in this kind of cooperation.

In this light we can also mention the so-called “joint hit team”, a team with police officers from the Benelux countries and France against the international drug traffic.

6) Workshops

Cross-border workshops are organised on a frequent basis in order to allow sharing of the expertise present in the different countries. In the spring of 2008 a workshop has been organised on information-led policing. On 28 November 2008 a theme day will be held on the administrative approach to organised crime.

7) Missions of persons' protection

Our starting point is that VIP's are to be protected by the same police officers across national borders, thus avoiding difficult transfers at the border. A manual has been written for VIP protection abroad, a special Benelux form for information exchange has been drafted and agreements have been reached on what the three countries understand by "risk level".

8) Benelux platform for technological monitoring

This project is in the starting blocks. It will deal with the digital awareness. The intention is to make the police organisations in the three countries more aware of both technological resources for their own use and the technology which can be deployed by criminal organisations or mala fide groups.

The Benelux countries are ready to provide the other EU Member States with the practical experience they have gained through their cooperation.
