

COMMON DECLARATION
ON THE BENELUX TREATY OF 8 JUNE 2004 CONCERNING CROSS-BORDER POLICING
("THE SENNINGEN TREATY")

The Minister of Security and the Interior of the Kingdom of Belgium,

The Minister of Justice of the Kingdom of Belgium,

The Minister of Internal security of the Grand Duchy of Luxembourg,

The Minister of Justice of the Grand Duchy of Luxembourg, and

The Minister of Security and Justice of the Netherlands,

Hereinafter referred to as the "Participants",

Confirming the excellent cooperation between the three countries in the area of cross-border police cooperation;

Acknowledging that the current Treaty between their countries concerning cross-border policing (the "Senningen Treaty") dates from 2004 and that meanwhile, there have been developments in many areas covered by the Treaty, that cross-border crime has increased and the needs for cross-border cooperation have evolved.

Recognizing that at European level, relevant legislation has been adopted affecting subjects such as the exchange of information, judicial cooperation in criminal matters, intensified cross-border police cooperation and the fight against cross-border crime;

Recalling that in the margins of the Justice and Home Affairs Council in Riga in January 2015, the Ministers confirmed that the current Treaty should –at least in some areas- be updated and upgraded;

Having taken note of the fact that in December 2015, the Central Discussion Group Senningen drew up a list of areas in which improvement was needed, including the general rules with respect to jurisdiction, the exchange of information, cross-border pursuit, and cross-border investigation;

Taking stock of the progress achieved within the Benelux working groups since December 2015 and presented at the Ministerial Conference on 18 November 2016.

Hereby declare the following:

In order to achieve more structured, intensified and innovative operational police cooperation, given quickly evolving security threats and needs, we express our shared commitment to modernize the Benelux police cooperation treaty and to adapt its content to the challenges and possibilities of the actual international context.

In particular, we have the ambition to create enhanced possibilities for cooperation, within (1) cross-border investigation, (2) cross-border pursuit and (3) exchange of information and the mutual access to police databases on a hit/no hit basis with due regard to data protection principles.

Furthermore the revised Treaty should be robust and create flexibility to make intensified cooperation exceeding European and international arrangements possible.

Finally, the revised Treaty should take into account the relevant European and international legislation and operational solutions which may correspond to the needs expressed.

With the aim to find an agreement on the different remaining questions, the central negotiating group is tasked to deliver a comprehensive report with complete proposals on the revision of the Treaty before the end of February 2017.

Signed in triplicate in Brussels on 18 November 2016 in the English language.



THE MINISTER OF JUSTICE OF THE KINGDOM OF BELGIUM

Koen Geens

THE MINISTER OF SECURITY AND THE INTERIOR OF THE KINGDOM OF BELGIUM



Jan Jambon

THE MINISTER OF INTERNAL SECURITY OF THE GRAND DUCHY OF LUXEMBOURG

Etienne Schneider

THE MINISTER OF JUSTICE OF THE GRAND DUCHY OF LUXEMBOURG



Félix Braz

THE MINISTER OF SECURITY AND JUSTICE OF THE NETHERLANDS



Ard van der Steur