



Joint declaration of the Benelux Summit

16 December 2021

By pioneering economic and customs cooperation for the past seventy-seven years, the Benelux countries have been at the forefront of closer cooperation between our countries and within the European Union. The ongoing COVID-19 pandemic demonstrates that, at times of crisis, such cooperation and coordination is essential to uphold our security and welfare. Today, we, the Prime Ministers of Belgium, Luxembourg and the Netherlands, reaffirm our commitment to continue strengthening our cooperation to the benefit of our societies and our common European efforts.

The Benelux countries are convinced that a strong, fair and united European Union is crucial to the continent's security and prosperity, and to its capacity to defend our values and shared interests globally. The European Union can only take up this role successfully if its founding principles are respected by all Member States, in particular the respect for the rule of law, fundamental rights and values, as well as the four freedoms of our single market, including the Schengen area of free movement. At the same time, the EU's twin transition is set to reshape our continent's future. The Benelux countries are committed to remaining a driving force for these developments.

EUROPEAN INTEGRATION

The Benelux countries reaffirm their belief in the European Union as a union of values. Since its inception, these common values are its cornerstone and the foundation of the trust between Member States, the central precondition for our integrated cooperation. We underline the shared responsibility of Member States and EU institutions to uphold, promote and strengthen those values unconditionally. Our single market, but also our cooperation in the area of justice and climate depend on full respect for the rule of law in all Member States. We fully support the Commission in its role as guardian of the treaties and we urge the Commission to make use of all available instruments at her disposal to safeguard the Treaties and the functioning of the EU, including its financial interests. It is important that the Commission starts infringement procedures when needed and we insist on a timely and full execution of the rulings of the Court of Justice of the European Union and of the European Court of Human Rights.

We reaffirm the importance of a strong and effective rule of law conditionality to safeguard the rule of law in the European Union and to ensure proper management of the EU budget. We look forward to having the conditionality mechanism operational as soon as possible. In a same vein, we trust the Commission to only disburse EU recovery funding to Member States that guarantee the independence of the judiciary and have an efficient monitoring system against conflicts of interest, corruption and fraud.



The Benelux countries support the efforts to enhance the effectiveness of the current Article 7 procedures and underline the responsibility of the Council to use this procedure to its fullest potential. We welcome the new Rule of Law Report published by the European Commission and we remain committed to rendering the rule of law dialogue in the Council into a meaningful and effective platform for discussion on an equal footing.

These past two years, the COVID-19 pandemic has confronted us with the vulnerability of the Schengen Area in an unprecedented way. We reiterate our commitment to the principle of free movement as a fundamental right of EU citizens and the integrity of the Schengen zone. Where possible, the Benelux countries will continue to advocate for common approaches to public health measures throughout the Schengen zone to avoid negative impacts on the mobility and livelihood of our citizens and residents. We therefore call for the coordination of travel measures through the implementation by all Member States of the Council recommendations on free movement within the EU and travel to the EU. Additionally, we are strongly in favor of harmonizing the validity period of vaccination certificates across the EU. The EU digital COVID certificate framework is a success that the Benelux countries will continue to support and preserve.

The Benelux countries welcome the proposal of the Commission on the revision of the Schengen Borders Code published on 14 December. An update of this code is urgently needed to incorporate the lessons learned of the past years. In particular, it is of importance that the Schengen Borders Code addresses secondary migration within the Schengen Area and offers possibilities to counter it. Furthermore, attention should be given to reinforcing the governance of the Schengen zone by periodical ministerial reviews of its functioning. We also take note of the Commission's proposal of 8 December for a EU Police Cooperation Code, which will strengthen police cooperation in the Union. In this context, we would especially like to stress the importance of the local dimension of cross border police cooperation.

Recent experience has shown that the public health measures taken during the COVID-19 pandemic have had a disproportionate impact on our border regions. This issue was highlighted in our Joint Benelux-Baltic position paper of June 2021 which proposed the inclusion of a "cross-border test" into policymaking at member state- and Union-level. In this way, we should aim to avoid negative effects of new policy measures on cross-border activities of our citizens and businesses. We welcome the fact that the Council conclusions on enhancing preparedness, response capability and resilience to future crises acknowledge the importance of taking into account the specific situation of cross-border communities and discuss further developing cross-sectoral crisis response and coordination in the EU, with a focus on ensuring political guidance from the Council during crises. Furthermore, we welcome the confirmation by the Commission that EU impact assessments and evaluations should systematically consider territorial impacts, including on cross border regions, as part of the upcoming better regulation guidelines and toolbox. In line with the Joint Benelux-Baltics position paper, we will continue strengthening the protection of cross-border communities, which heavily depend on open borders within the EU.



The Benelux countries believe in an open economy, established on a rules-based international order, with a strong World Trade Organization at its core. As multilateralism is the best response to global challenges, we support a comprehensive WTO reform that would improve the organization's vital functions of dispute settlement, negotiations, and monitoring. Regarding the open strategic autonomy of the EU, the Benelux countries emphasize the importance of strengthening the EU's ability to decide on and safeguard our own public and security interests, working together with international partners in a globalized world.

The Benelux countries support an open, sustainable and assertive EU Trade Policy. Trade is essential for the prosperity of our citizens and companies. As trade is critically important for the creation of jobs in the EU, the path towards economic recovery and the green and digital transition lies more than ever in the search for new trade opportunities and the sustainability and openness of our economy. At the same time, it is essential that we strengthen trade policy as an instrument to promote our fundamental values. In this context, the Benelux countries call on the European Commission to present as soon as possible its proposal on sustainable corporate governance and due diligence.

We therefore consider the inclusion of ambitious sustainable development provisions in ongoing and future negotiations with third parties a priority and a key component of our trade policy. It is equally important that these commitments to labour rights and environmental standards are implemented and enforced in an effective and rules-based manner.

We are convinced that our success to address global challenges hinges on the success of our cooperation in Europe. It is essential to defend a rules-based international system that defends democracy, free trade and human dignity, and allows us to address the great challenges of our time. We therefore support an ambitious and autonomous Common Foreign and Security Policy (CFSP) that responds to citizens' concerns and addresses the causes and consequences of instability. One of the ways to enhance our effectiveness is to make more frequent use of qualified majority voting within specific areas of the CFSP.

In this regard, the Benelux countries welcome the ongoing talks on the Strategic Compass and the consultations held today at the European Council. The Strategic Compass must be result-driven and set ambitious, concrete and realistic goals to strengthen the Union's capability to act in the interest of our citizens. It must improve the EU's resilience and reduce its vulnerabilities against hybrid and other threats, both within and outside the Union. Through regular reviews, stronger political ownership and focus should ensure that objectives are effectively met along an agreed roadmap. A high level of ambition for the Union, effective coordination and coherence of military efforts between its member states are essential as well to support our commitment to Euro-Atlantic security through NATO.



BENELUX COOPERATION

The Benelux voice has effectively increased our weight and visibility in EU discussion, including on issues of foreign and security policy such as the reform of the United Nations, EU relations with India, the Western Balkans and the Southern Neighborhood. The joint visit of our three foreign ministers on the contact line at the Ukrainian border showed the solidarity of the Benelux in the face of continuing tensions in the Donbas region.

We recall that EU enlargement should remain strictly conditional and based on the candidate countries' own merits. The Benelux countries will continue supporting the Western Balkan countries in their reform efforts. The fundamentals should continue to be the focus of these reforms, in line with the revised methodology, and bilateral issues should not hinder progress in the enlargement process. We thus expect that the first intergovernmental conference will be held with Albania and North Macedonia in the very near future.

The Benelux countries will continue to actively reach out to other regional groups, as they have been with the Baltic States in recent months. We agree to intensify our contacts with the Nordic countries and Ireland to address issues of common interest and to reach out to other partners inside and outside the EU.

The fight against impunity remains a foreign policy priority, through support for the International Criminal Court, as evidenced by the invitation on behalf of the Benelux of the Prosecutor of the Court to exchange views with the 27 member states. Serious human rights violations must be denounced and prosecuted. The EU Global Human Rights Sanctions regime remains an appropriate EU instrument to respond to the most serious abuses.

BENELUX UNION

The Benelux countries are dealing with the COVID-19 pandemic through intense cross-border cooperation, such as agreements on teleworking to slow the spread of the coronavirus. Three consultation platforms are set up at Benelux level to clarify national measures taken to contain the pandemic and avoid affecting cross-border communities, including regular virtual meetings between the Directors-General of our national crisis centers and North Rhine-Westphalia. Regarding Health policy, exchanges will focus on the management of strategic stocks for health professionals, the security of transport and storage of vaccines, and communication strategies to counter disinformation. The Benelux countries will focus on mutual consultation, exchange of information and the further development of practical and logistical aspects of policy measures. We will continue to cooperate closely to deal with similar crises in the future, to reach out to neighboring countries and regions and to strengthen crisis response within the Union.



The national crisis centers of the Benelux countries have initiated a Network of Directors-General of European Crisis Centers, whose cooperation protocol was signed by 20 European states on 14 September 2021 in Brussels. Its establishment was welcomed by the EU Council. This network will contribute to a faster and more efficient cooperation and the reinforcement of the European coordination in crisis management, including on climate related disasters.

We are committed to continuing to work closely together in both climate mitigation and adaptation. We will uphold the climate ambition of the Fit-for-55-package to bring us on a path to achieve climate neutrality by 2050 in the EU. We recognize the high potential of sustainable offshore wind energy and green hydrogen production in the North Sea area. Wind farms in the North Sea region currently cover around three percent of Europe's electricity needs, and more can be done in the light of the 2050 climate neutrality targets and the EU's Green Deal. The Benelux countries - in the framework of the Benelux hydrogen working group, the Pentalateral Energy Forum and the North Seas Energy Cooperation - will intensify their efforts towards achieving those goals and endeavor to become the first regional renewable energy hub. In this context, sustainable finance is crucial to unlock the investments needed for the transition towards climate neutrality. After a successful first exchange of views in 2021, the Benelux will continue to serve as a platform for discussing sustainable finance policies at the international, European and national levels.

Furthermore, we note with interest the Benelux Climate Platform launched at the COP26 climate summit in Glasgow which will become a virtual meeting place for stakeholders and will develop a cross-border and multidisciplinary source of information on climate-related topics.

The Benelux countries are also strongly engaged in regional cooperation towards a reliable European energy market, which offers solidarity and risk preparedness in the event of a supply crisis. This cooperation also facilitates the development of a cross-border integrated market for renewable hydrogen. In view of the complex challenges of the energy transition and the ambitious climate agenda, we recognize the need for expertise to map the effects of new policies. To this end, the members of the Pentalateral Energy Forum, among which the Benelux countries, have decided to further strengthen the project management office.

The Benelux Countries are committed to sustainable mobility and transport. Next to the work on the improvement of cross border rail connections, a number of initiatives are employed in the Benelux in this regard. Dynamic charging for heavy duty vehicles will be explored, as well as the opportunities for cooperation in the field of cross border transport and recycling of electric vehicle batteries. The long standing cooperation on the roll out of alternative fuels infrastructure will continue. Work on the Benelux ID registration office, crucial for effortless cross border electric charging, will also be followed up.



We will further strengthen our cooperation following the Benelux Bike Declaration of 2020, including by promoting cycling as part of European COVID-19 recovery plans and the European Green Deal.

Seizing the opportunities offered by digital technology, we are taking further steps towards an interlinked economic region. We are committed to working towards an open digital space transcending physical borders and distances. We have joined forces to enable stable cross-border 5G connections within the same technical framework. This will be undeniably of great value for both our industries and our citizens. As digital pioneers the Benelux countries demonstrate their engagement in the digital economy as a catalyst for innovation, growth and social prosperity.

The Benelux countries are committed to reducing barriers to cross-border transactions and the establishment of businesses in their region. In that regard, the recently launched "Benelux Retail Information Point" gives entrepreneurs one-click access to the relevant Belgian, Dutch and Luxembourg legislation on retailing, setting up a business, e-commerce and doing business in another Benelux country. Furthermore, we have asked the European Commission to consider legislative measures to remedy the effects of territorial supply restrictions in the retail sector. We underline that such restrictions lead to the fragmentation of supply, hampers cross-border competition and undermine the functioning of the single European market.

The Benelux cooperation has already proven to be an incubator for tax-related projects that are subsequently scaled up to the European level in order to reduce the TAX-GAP. The Benelux countries will further develop their cooperation and their projects on the exchange of information. In particular, the colloquium on VAT-GAP, postponed due to the COVID-19 pandemic, will be organized as soon as allowed by health rules.

The Benelux countries will continue to reinforce their cooperation in home and security affairs. We look forward to the full ratification of the Benelux Police Treaty signed in 2018. This new treaty is an important element in the fight against organized crime. It aims to intensify and extend the existing police cooperation between our three countries. The importance of the fight against subversive drug-related crime requires an integral approach which the three countries continue to explore. In the area of migration management, we have also concluded an administrative agreement to strengthen our operational cooperation and information exchange in the application of Dublin procedures for asylum seekers.

The Benelux countries will also continue their cooperation in the battle against social fraud and the protection of the social security-systems in cross-border relations. Therefore, we welcome progress achieved towards the conclusion of a Benelux Treaty on the improvement and strengthening of cross-border cooperation in the fight against social fraud and the protection of health and safety at work and decent working conditions.



We, the Prime Ministers of Belgium, Luxembourg, and the Netherlands, are confident that our Benelux Union will continue to play its role at the vanguard of regional and cross border cooperation by strengthening the resilience of the internal market, fostering sustainable development and reinforcing security. To this end, the Benelux Union will continue focusing on key priorities centered on flagship projects with visible and tangible results for our citizens, while pursuing the highest standards and best practices of good governance.

We salute the thorough work undertaken by the Benelux Parliament and underline the importance of its recommendations. We have highly appreciated the organization of the Benelux Youth forum in October 2021 on energy, sustainable mobility, just transition and equitable climate action. The Benelux Union will continue its dialogue with the youth on a regular basis and will strive to involve youth delegates from other countries and regions.
