

Co-operation between the Dutch and German police forces at the Euregional level

Comparing police co-operation in the EUREGIO and the Euregion Meuse-Rhine



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BUNDESPOLIZEI



POLIZEI
NIEDERSACHSEN



POLIZEI
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Abstract

In Europe, there are several Euregions. The goal was to improve the co-operation between the participating countries. A good example is the police co-operation between the Netherlands and Germany. There are five Euregions in the border between the Netherlands and Germany. One of them is the EUREGIO. The EUREGIO is the oldest Euregion in Europe and it is one of the Euregions that does not have much research on the police co-operation. This creates the question of what the scope and intensity of police co-operation is in the EUREGIO. To give an answer to the question, the EUREGIO is compared to the Euregion Meuse-Rhine. The Euregion Meuse-Rhine is chosen, because there is a lot of research done on the police co-operation in this Euregion. This lead to the following research question:

To what extent differ the scope and intensity of the police co-operation in the EUREGIO from the scope and intensity of the police co-operation in the Euregion Meuse-Rhine and how can these differences be explained?

There are several factors that influence police co-operation. In this research, the focus will be on institutional, political and social factors. Therefore the police organisations are compared and the influence of legal agreements and EU-funding is looked at. Literature shows that networking is very important in co-operation. That is why networking and its social factors are looked at.

The Dutch and German police forces that work together in the EUREGIO are the Dutch Police, the Royal Netherlands Marechaussee, the German Federal Police the police of Lower Saxony and the police of Lower Saxony. In the Euregion Meuse-Rhine, the police of Lower Saxony is not one of the participating parties. In this research, the Belgian police forces are excluded, because in that case the participating countries are the same and it will be possible to give an explanation for the differences in the cross-border police co-operation between the Netherlands and Germany.

Each Euregion has its workgroups on cross-border police co-operation. Furthermore, he EUREGIO has the cross-border police team and the Euregion Meuse-Rhine has several Euregional organisations to improve the police co-operation. Both Euregions use funding from the European Union to start projects that improve the police co-operation.

For data on the police co-operation in the EUREGIO six interviews are conducted. These interviews are held with members of the Dutch Police, the Royal Netherlands Marechaussee, the German Federal Police, the police of Lower Saxony and the Euregion. The data on police co-operation from the Euregion Meuse-Rhine are collected by using documents from the police and the government, and researches on the police co-operation in the Euregion.

There are few possible explanations for the differences in het cross-border police co-operation between the EUREGIO and the Euregion Meuse-Rhine. These explanations are the working method of each Euregion on the cross-border police co-operation, differences between the police organisations, the level of knowledge and that the Euregion Meuse-Rhine has an additional co-operating country. It can also be said that the scope and the intensity in the Euregion Meuse-Rhine is larger than in the EUREGIO, because the Euregion Meuse-Rhine uses Euregional organisations and they meet more often. The EUREGIO does not use any organisations for the police co-operation and the workgroups do not meet as often as in the Euregion Meuse-Rhine. To be certain on which factor has what kind of influence on the cross-border police co-operation, the explanations and further factors need to be researched.

Samenvatting

Er bestaan meerdere euregio's in Europa. Iedere euregio heeft als doel om de samenwerking tussen de deelnemende landen te verbeteren. Een goed voorbeeld is de politiesamenwerking tussen Nederland en Duitsland. Er bestaan vijf euregio's in het grensgebied tussen Nederland en Duitsland. Eén van deze euregio's is de EUREGIO. De EUREGIO is de oudste euregio in Europa en ook één van de euregio's waar niet veel onderzoek is gedaan naar de politiesamenwerking. Hierdoor ontstaat de vraag over de omvang en intensiteit van de politiesamenwerking in de EUREGIO. Om deze vraag te beantwoorden wordt de EUREGIO vergeleken met de Euregio Maas-Rijn. De Euregio Maas-Rijn is gekozen, omdat er veel onderzoek is gedaan naar de politiesamenwerking. Dit leidde tot de volgende onderzoeksvraag:

In hoeverre verschillen de omvang en intensiteit van de politiesamenwerking in the EUREGIO van de omvang en intensiteit van de politiesamenwerking in de Euregio Maas-Rijn en hoe kunnen deze verschillen worden verklaard?

Er zijn verschillende factoren die invloed hebben op de politiesamenwerking. In dit onderzoek ligt de nadruk op de institutionele, politieke en sociale factoren. Daarom worden de politieorganisaties vergeleken en wordt gekeken naar de invloed van de wettelijke overeenkomsten van en financiering door de EU. In de literatuur wordt aangegeven dat netwerken zeer belangrijk zijn voor samenwerking. Daarom wordt gekeken naar netwerken en de bijbehorende sociale factoren.

De Nederlandse en Duitse politieorganisaties die samenwerken in de EUREGIO zijn: de Nederlandse politie, de Koninklijke Marechaussee, de Duitse federale politie en de politie van Nedersaksen en de politie van Noord Rijn-Westfalen. In de Euregio Maas-Rijn is er één politieorganisatie minder, namelijk de politie van Nedersaksen. In dit onderzoek wordt de Belgische politie uitgesloten, omdat zo de deelnemende landen hetzelfde zijn en het mogelijk zal zijn een verklaring te geven over de verschillen in de grensoverschrijdende politiesamenwerking tussen Nederland en Duitsland.

Iedere euregio heeft werkgroepen inzake grensoverschrijdende politiesamenwerking. Daarnaast heeft de EUREGIO het grensoverschrijdende politieteam en heeft de Euregio Maas-Rijn meerdere euregionale organisaties met het doel om de politiesamenwerking te verbeteren.

Voor de gegevens over de politiesamenwerking in de EUREGIO zijn er zes interviews gehouden. Deze interviews zijn gehouden met leden van de Nederlandse politie, de Koninklijke Marechaussee, de Duitse federale politie en de politie van Nedersaksen. De gegevens over de politiesamenwerking in de Euregio Maas-Rijn zijn afkomstig uit documenten van de politie en overheid, en de onderzoeken over politiesamenwerking in de euregio.

Er zijn een aantal mogelijke verklaringen voor de verschillen in de grensoverschrijdende politiesamenwerking tussen de EUREGIO en de Euregio Maas-Rijn. Deze verklaringen zijn de werkmethode voor de grensoverschrijdende politiesamenwerking van elke euregio, verschillen tussen de politieorganisaties, het kennisniveau en dat er bij de Euregio Maas-Rijn een extra land deelneemt in de samenwerking namelijk België. Er kan ook gezegd worden dat de omvang en intensiteit in de Euregio Maas-Rijn groter is dan in de EUREGIO, omdat de Euregio Maas-Rijn euregionale organisaties gebruikt en zij vaker overleg hebben. De EUREGIO gebruikt helemaal geen euregionale organisaties voor de politiesamenwerking en de werkgroepen hebben minder vaak overleg als in de Euregio Maas-Rijn. Om met zekerheid te kunnen zeggen welke factoren welke invloed hebben op de grensoverschrijdende politiesamenwerking zal er onderzoek gedaan moeten worden naar de verklaringen en de andere factoren.

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Abbreviations

BES	Bureau voor Euregionale Samenwerking
CoE	Council of Europe
EPICC	Euregionaal Politie Informatie en Coördinatie Centrum
EU	European Union
GPT	Grenzüberschreitendes Polizeiteam (Cross-border police team)
IRC	Internationaal Rechtshulpcentrum (International Centre for Legal Assistance)
JHT	Joint Hit Team
JIT	Joint Investigation Team
POG NRW	Law on the organisation and competences of the police in the state North Rhine-Westphalia – Police organisation law
POL NRW	Police Organisation Law North Rhine-Westphalia

1 Introduction

Since the 1950's, Euregions were founded in Europe. This improved the co-operation between countries, including the police co-operation. A good example is the police co-operation between the Netherlands and Germany. The police in those two countries work together on several levels. One of these levels is the Euregional level. There are five Euregions who have their working area in the Netherlands and Germany: Euregion Meuse-Rhine, Euregion Eems-Dollard, EUREGIO, Euregion Rhine-Meuse North, and Euregion Rhine-Waal. When we compare these Euregions, it shows that there has been a lot of research on some Euregions and less on others. Although the EUREGIO is the oldest Euregion in Europe it is also one of the Euregions where there has not been a lot of research on the police co-operation. This fact generates curiosity about the scope and intensity of police co-operation in the EUREGIO. To be able to say something about the scope and intensity the EUREGIO is compared to the Euregion Meuse-Rhine. The Euregion Meuse-Rhine is chosen, because there is a lot of research done on the police co-operation in this Euregion.

1.1 The working area of the Euregions

For this research it is important to know what the working area of these Euregions are. For the working area of the EUREGIO see figure 1. The most important largest cities from the participating parties are Enschede (the Netherlands), Münster (North Rhine-Westphalia) and Osnabrück (Lower Saxony).



Figure 1: Working area of the EUREGIO

Source: <http://www.eursafety.eu/DE/projektteilnehmer/krankenhaeuser.html>

Figure 2 shows the working area of the Euregion Meuse-Rhine. For this Euregion are Hasselt (Province Limburg, Belgium), Maastricht (the Netherlands), Aachen (Germany), Eupen (German-speaking community, Belgium) and Liège (Province Liège, Belgium) the most important largest cities from the participating parties.



Figure 2: Working area of the Euregio Meuse-Rhine

Source: <http://euregio.aix3d.com/euregio-f.html>

1.2 The legal boundaries of the police co-operation

When different parties co-operate, it is important that the boundaries within the network are clear. To be sure that each member knows what to expect from this co-operation, the members wrote down the conditions they have to comply with, this starts on the European level.

In 1959, the first convention on co-operation between countries in Europe was made by the Council of Europe. The agreement from this convention describes the complete process how to deal with a request of assistance in criminal matters. Furthermore, it was the beginning of more legal documents on police co-operation across-borders. Then in 1985, the European Union (EU) entered into an agreement called the Schengen Agreement. In this agreement the members of the EU agreed on several points concerning the co-operation of the police, for example the tasks of the police and cross-border operations (Ministry of the Interior and Kingdom Relations & Ministry of Justice, 1998). These agreements make it easier for the police in European countries to co-operate. In addition, there are also agreements between the Netherlands and Germany on national and regional level, such as the Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters¹ and the Agreement between the Kingdom of the Netherlands, the Federal Republic of Germany, Lower Saxony and North Rhine-Westphalia concerning cross-border co-operation between territorial communities or authorities². The first agreement describes all the forms of co-operation that are possible and the general conditions of the co-operation. The second agreement describes the goals, forms,

¹ Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters (2005), retrieved June 19th, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/2005/3/010856.html>.

² Agreement between the Kingdom of the Netherlands, the Federal Republic of Germany, Lower Saxony and North Rhine-Westphalia concerning cross-border co-operation between territorial communities or authorities (1991), retrieved June 19th, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/1991/5/004673.html>.

supervision and judicial process of the co-operation. Furthermore, it describes the conditions and arrangements of the public and common body.

The aim of this research is to look at the police co-operation between two countries in two Euregions. This concerns the EUREGIO and the Euregion Meuse-Rhine. Hereby the scope and intensity of the co-operation are the main focus of this research. The political, social and institutional factors will provide insight in the scope and intensity of the police co-operation. In the Euregion Meuse-Rhine, Belgium is also one of the co-operating partners. This is not the case in the EUREGIO. Therefore Belgium will be excluded in this research. This way it will be possible to give an explanation for the differences in the police co-operation between the Netherlands and Germany in the EUREGIO and the Euregions Meuse-Rhine, because the participants are the same. This leads to the main research question:

To what extent differ the scope and intensity of the police co-operation in the EUREGIO from the scope and intensity of the police co-operation in the Euregion Meuse-Rhine and how can these differences be explained?

To be able to answer this question the following questions have to be answered:

- *How is cross-border police co-operation between the Netherlands and Germany legally and institutionally regulated?*
- *What is the scope and intensity of the police co-operation in the EUREGIO?*
- *What is the scope and intensity of the police co-operation in the Euregion Meuse-Rhine?*
- *What are the relevant political, institutional and social different characteristics of the EUREGIO and the Euregion Meuse-Rhine?*
- *What explains the difference in scope and intensity of the police co-operation in the EUREGIO from the scope and intensity of the police co-operation in the Euregion Meuse-Rhine?*

To get the answers to the research questions six interviews and a document analysis will be conducted. The interviews will be conducted in the EUREGIO and the document analysis will be about the Euregion Meuse-Rhine. With the information from the interviews and the document analysis, it will be possible to draw conclusions concerning the police co-operation.

The following organisations will be interviewed: the Dutch police, the German police and the EUREGIO. Within the police there are co-ordination points that supervise the police co-operation. Therefore a member of each co-ordination point will be interviewed. This means three interviews, the Dutch police, the Lower Saxony police (Germany) and the North Rhine-Westphalia police (Germany). The other interviews will be held with members from the Dutch Royal Netherlands Marechaussee, the German Federal Police and the EUREGIO.

When all data are collected, they will be compared. With the main focus on the differences and similarities in the police co-operation, the research questions can be answered and points of improvement can be given.

2 Theoretical Framework

The theoretical framework of this research will be described in this chapter. It addresses the role of co-operation and the various factors that have influence on co-operation.

2.1 Networking

Network is the keyword in this research. Therefore it is important to know what a network is and how it can contribute to answering the research questions. A good definition of networking is given by Hay and Richards (2000, p. 13), "A strategic alliance forged around common agendas or mutual advantage through collective action". This shows that networking is at its best when the goals of the participants are the same, and that the co-operation leads to advantages for all participants. The organisations in the network would not be interested in working together if not all of them would gain from the co-operation. One could say that in many networks there is resource dependency. The organisations in the network depend on the resources of the others. These resources could be money, technology, information or expertise. Networking allows the organisations to compensate their deficiencies by putting the resources together and to co-operate.

Networking is very important for good co-operation. To improve the co-operation it is therefore important to look at the network. Hereby one can look at the network if-self, the environment in which it takes place, and the participants of the network (Provan & Milward, 2001). The evaluation of the network also depends on the approach one is using. According to Marsh & Smith (2000), the dialectical approach is the best option. They believe that in a research where policy network is being used as an explanatory variable, one has to deal with three dialectical relationships. These are: "structure and agency; network and context; and network and outcome" (Marsh & Smith, 2000, p 5). Their definition of a dialectical relationship is "an interactive relationship between two variables in which each affects the other in a continuing iterative space" (Marsh & Smith, 2000, p. 5).

Otter (2001) uses the four aspects of Twuyver and Soeters in his research as a possible explanation for critical points in the co-operation. The four aspects are about differences that exist in law, culture, organisation and competencies of police officers. The differences that exist, could have a negative influence on the police co-operation. This could also be an explanation for problems in the police co-operation in the EUREGIO and the Euregion Meuse-Rhine. That is why communication is very important in co-operation. If the communication is not good, this could lead to problems and misunderstandings due to differences on several levels.

Different factors can influence the success of the co-operation between the different police organisations. Some examples of these factors are: institutional, political, social, culture, mentality and language. It is not possible to examine all factors in this research, this would make the research too broad. Therefore, the focus in this research will be on the institutional, political and social factors.

2.2 Institutional factors

There is difference between the EUREGIO and the Euregion Meuse-Rhine on the institutional level. In the EUREGIO five police organisations work together, namely the Dutch Police, the Royal Dutch Marechaussee, the German Federal Police, the police of North Rhine-Westphalia and Lower Saxony. In the Euregion Meuse-Rhine there are four police organisation that work together. These police organisations are the Dutch Police, the Royal Dutch Marechaussee, the German Federal Police and the police of North Rhine-Westphalia. Each police system has its own rules and regulation. Therefore it is possible that differences in the rules and regulation can make the police co-operation more difficult.

In the research from Liedenbaum (2011), the police in the Netherlands and in North Rhine-Westphalia, Germany, are being compared. She compared the basic police function in both countries. One of the findings shows that there are differences in the police system. In the Netherlands, the police system is characterized by the following concepts: “space, consultation, differentiation, variability, and achievement”³ (Liedenbaum, 2011, p. 98). While in North Rhine-Westphalia, the police system is characterized by “definition, uniformity, conservatism and targeting” (Liedenbaum, 2011, p. 98). Furthermore, the Dutch Police Law gives each regional unit space for local consultation about the organisation and policy. This leads to differences in the regional units (Liedenbaum, 2011). Liedenbaum also looked at the structure of the organisation and the police policy in both countries.

According to Bowling and Sheptycki (2012), problems within the police institutions are a response to cross-border policing activities and the complex field of cross-border policing. This shows that it is difficult to co-ordinate cross-border policing and that there are many factors that have influence on the efficiency. Otter (2001) also sees differences in the organisations as a possible explanation for problems in police co-operation.

With the information from the institutions and the research of Liedenbaum, Bowling and Sheptycki, and Otter, there is an expectation about the police co-operation concerning the institutional factors. This leads to the following hypothesis.

Hypothesis I:

Organisational differences between the police organisations make the police co-operation more difficult, especially in the EUREGIO where there are five police organisations in comparison to the four police organisations in the Euregion Meuse-Rhine.

2.3 Political factors

There are several political factors. In this research the focus will be on the treaties and agreements, and funding of the EU. The agreements and treaties that are made by the CoE and the EU have influence on the police policies. It describes guidelines on police co-operation, requests on legal assistance and information exchange. Whereas the funding makes it possible to start initiatives on improving the cross-border police co-operation.

2.3.1 Treaties & Agreements

In the 1950's, the countries in Europe saw that co-operation between the police could lead to benefits and higher crime solving rates. This leads in 1959 to the European Convention on Mutual Assistance in Criminal Matters⁴. The agreement describes the complete process how to deal with a request of assistance in criminal matters. Furthermore, it was the beginning for more conventions on police co-operation across-borders. For example, in 1985 the Schengen Agreement was developed by five countries, the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands. With this agreement those five countries agreed on removal of the borders and inspections between the participating countries⁵. In

³ Quotes from Dutch documents are translated into English by the author.

⁴ *European Convention on Mutual Assistance in Criminal Matters* (1959), retrieved September 2nd, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/1959/4/006930.html>.

⁵ Schengen Agreement (1985), retrieved September 5th, 2013 from <https://zoek.officielebekendmakingen.nl/trb-1985-102.html?zoekcriteria=%3fzkt%3dUitgebreid%26pst%3dTractatenblad%26vrt%3dschengen%26zkd%3dInDeGeheleText%26dpr%3dAlle%26spd%3d20140401%26epd%3d20140401%26jgp%3d1985%26nrp%3d102%26sdt%3dDatumTotstandkoming>

addition, the five countries made an agreement on the execution of the Schengen Agreement⁶. In article 39 of this agreement, the countries agree on the co-operation of the police forces within the borders of the participating countries, and under which circumstances the police can co-operate across-borders.

Next to the European agreements there are also agreements between the Netherlands and Germany concerning the police co-operation across-borders. These agreements arrange the co-operation, responsibilities and education of the police. One of the agreements is Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters⁷. It describes all the forms of co-operation that are possible and the general conditions of the co-operation. For example the widening of the cross-border observation and pursuit possibilities, and the securing and the handing over of evidence in emergency cases. Another agreement⁸ describes the goals, forms, supervision and judicial process of the co-operation. Furthermore, it describes the conditions and arrangements of the public and common body. These two agreements are an example of Mutual Legal Assistance Treaty. This kind of treaty is "The basic mechanism used to facilitate police co-operation in investigation and evidence collection beyond jurisdictional boundaries in a form admissible in domestic courts" (Bowling & Sheptycki, 2012).

One of the four aspects, Otter (2001) uses in his research, that could be a possible explanation for critical points in the co-operation is law. According to Otter (2001), the existing differences in law may have a negative effect on the police co-operation. On the other hand, both Euregions have the same rules and regulations on the European level which they have to deal with.

In 1997 the International Police Executive Symposium was held in Vienna. The topic was "International police co-operation: a world perspective" (Das & Kratcoski, 1999). There were representatives of several countries present and they spoke about their findings on police co-operation. Most of them said that the legal agreements increased the chances of success in the co-operation of the crime fighting activities. Another point mentioned by Das and Kratcoski is that the agreements are on "ground level of operations" (Das & Kratcoski, 1999, p. 223) and this is one of the reason why the bilateral and regional agreements can work. This leads to the following hypothesis:

Hypothesis II:

The legal agreements and treaties do not explain differences in cross-border police co-operation in both Euregions.

[%26sysYear%3d%26sysNumber%3d%26sysSeqNumber%3d%26pnr%3d1%26rpp%3d10&resultIndex=0&sorttype=1&sortorder=4.](#)

⁶ The Schengen acquis - Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders (1990), retrieved September 2nd, 2013 from <https://zoek.officielebekendmakingen.nl/trb-1990-145.html?zoekcriteria=%3fzkt%3dUitgebreid%26pst%3dTractatenblad%26vrt%3dschengen%26zkd%3dInDeGeheleText%26dpr%3dAlle%26spd%3d20140403%26epd%3d20140403%26jgp%3d1990%26nrp%3d145%26sdt%3dDatumTotstandkoming%26sysYear%3d%26sysNumber%3d%26sysSeqNumber%3d%26pnr%3d1%26rpp%3d10&resultIndex=0&sorttype=1&sortorder=4>.

⁷ Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters (2005), retrieved June 19, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/2005/3/010856.html>.

⁸ Agreement between the Kingdom of the Netherlands, the Federal Republic of Germany, and the States of Lower Saxony and North Rhine-Westphalia concerning transboundary co-operation between territorial communities or authorities (1991), retrieved September 2, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/1991/5/004673.html>.

2.3.2 EU-Funding

In the European Union, there are funding programs that are available to improve co-operation between countries. One of these programs is INTERREG. This particular program is being used to improve and facilitate the cross-border co-operation between countries in the European Union. The program is subdivided in three parts. The first one is INTERREG A, this can be used if the co-operation is between border regions. Examples of parties that use the INTERREG A program are the Euregions. INTERREG B is the second part. If the co-operation is between regions in different countries, INTERREG B is applicable. The third and last part is INTERREG C. In the case of co-operation of countries within Europa, where the co-operation is not restricted to countries of the European Union, INTERREG C can be used (Rijksoverheid, n.d.).

Both the EUREGIO and the Euregion Meuse-Rhine use the INTERREG A program for projects in the Euregion. This includes projects to improve the police co-operation in the Euregion. Where EUREGIO started an initiative for a cross-border police team, the Euregion Meuse-Rhine started the project EMROD in which the police, justice and government work together. This shows that the Euregions use the funding on the same subject in different ways. This leads to the following hypothesis.

Hypothesis III:

Programs, supported by subsidies, have a positive impact on the informal networks between police officers and makes the police co-operation in the EUREGIO and the Euregion Meuse-Rhine easier.

2.4 Social factors

Next to legal and political factors, social factors also play an important role in a network. For a network it is very important that rules and regulation are written down. The participants know what is expected from them and which rules they have to follow. To have success in a network it is also important how the participants behave. The behaviour participants depends on different social factors like trust, knowledge and control. These factors influence the structure of the network. The structure of the network shows the effectiveness of “the structural context, the actor’s resources, the network interaction and the policy outcome” (Marsh & Smith, 2001, p. 10). The effectiveness of a network depends on satisfying the needs and interest of the participants and building interorganisational relationships that provide the needed services (Provan & Milward, 2001).

The social factors trust, knowledge and control are important in the Euregions, because they influence the police co-operation. Therefore it is important to understand what includes the factors.

For the knowledge factor this is the information about the police organisations, crime and other information that is needed to work together, prevent and fight crime.

Trust is very important in a co-operation. With the trust that has been built, there are expectations from all police organisations on how the other acts and reacts. This means that the participating parties expect that every party shares information and in case help is required, the help will be provided.

And the last factor is control. It concerns the monitoring and coordinating function within the network. The control will make sure that the co-operation will be lead in the right direction. The three factors depend on each other. One factor cannot function without the other, this is explained in figure 2.

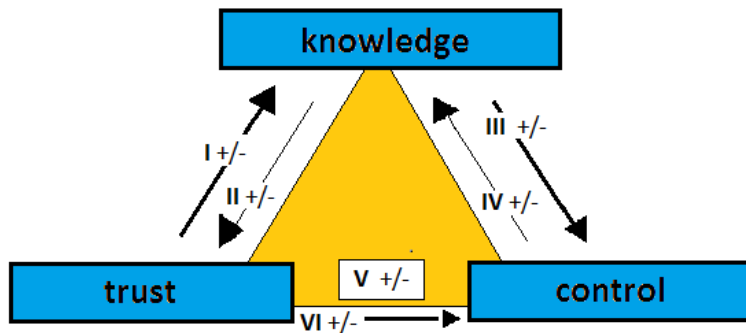


Figure 2: The interrelatedness of knowledge, trust, and control from a structurationist perspective.

Source: Sydow, J., and Windeler, A. (2004), *Knowledge, Trust, and Control, Managing Tensions and Contradictions in a Regional Network of Service Firms*, p. 79.

If one party sees the consistent behaviour of another party, there will be an expectation that this behaviour will continue. This is called knowledge-based trust (I+). Knowledge is very important to build trust between the participating parties. Trust can not only be build but also destroyed by knowledge. This could lead to mistrust (I-). The other way around, trust-based knowledge is about the knowledge that is produced by opportunities that are created by trust (II+) (Sydow & Windeler, 2004). "Since trust reduces social complexity and bridges uncertainty in the ace of imperfect knowledge, it may even simultaneously reduce the need for knowledge" (II-) (Sydow & Windeler, 2004, p.78).

According to Sydow & Windeler (2004), initial knowledge is important, because control is based on this knowledge (III+). On the other hand, it is possible that control decreases because of the available knowledge (III-). From the control-based knowledge point of view, control can influence creating knowledge due to several qualities of control as for example the monitoring and steering activities (IV+) (Sydow & Windeler, 2004). "Control can also reduce mutual awareness and thus knowledge" (IV-) (Sydow&Windeler, p. 79).

Control-based trust will happen when interactions of the participating parties are as expected. Control measures will confirm the expectations and therefore the trust that has been built by the participating parties is justified (V+). Though if the control is too high, the level of trust can decrease. Control can damage the trust between the parties (V-). Next to control-based trust there is also trust-based control. Trust can have influence on control measures and practices in the network (VI+). Trust can increase the effectiveness of control in a network, but in a high level trust can also make control unnecessary (VI-) (Sydow & Windeler, 2004).

In 2012 there was a reorganisation within the police of the Netherlands, due to the Police Law 2012. This lead to many changes within the police, among other things the number of police units. From 25 regional and one national police force to ten regional units, one national unit and a police services centre. This also had consequences for the police co-operation between the Netherlands and Germany. The co-operation coordinators changed in the Netherlands and this meant that the ties between the police co-operation points had to be build again from scratch. It will take a while before the police officers will trust each other enough to exchange information and the control factor will be optimal.

According to Sydow & Windeler (2004), "the influence between knowledge, trust, and control is positive or negative, creating a spiral of trust or distrust depends upon the concrete practices of the agents and the social contexts in which they act" (Sydow & Windeler, 2004, p. 80). For a network like the police co-operation in the Euregions the three social factors are very important. If trust, control and knowledge are in balance, the network can work optimal. In the case that the social factors are

in imbalance, it can create a lot of problems for the co-operation. This leads to the following hypothesis.

Hypothesis IV:

The reorganisation of the Dutch police in 2012 caused distrust which had a negative influence on the network and made the cross-border police co-operation between the Dutch and German police more difficult in both Euregions.

3 Police

There are different factors that influence the execution of police work. In the Netherlands the police operates according to the principle of opportunity. If a crime is committed, the police will start an investigation. Than the district attorney can decide to refrain from prosecution under certain circumstances. These circumstances are connected to the public interest (WvSv, art. 167 lid 2). In Germany this is different. Germany has the principle of legality. Each crime that has been committed, will be investigated and the suspect will be prosecuted (StPO §160 & §163). However, there is one exception: with the danger prevention (Gefahrenabwehr) Germany uses the principle of opportunity. This means within the task of preventing dangers from the public safety or regulation, the police has the opportunity to work as they see fit, as long it is within the framework of the law. This chapter will explain the Dutch and German police law and organisation.

Next to the legislation on national level, the European legislation also influences the police co-operation between the Netherlands and Germany. To explain the impact of European legislation, a brief summary of the history will be given as well as the main agreements and treaties.

The information on the Dutch and German police, and the European legislation will make it possible to answer the first sub-question of this research:

How is cross-border police co-operation between the Netherlands and Germany legally and institutionally regulated?

3.1 The Netherlands

Since 1993 the Dutch police has a police law, Police Law 1993, in which the tasks and authorities of the police are described. The police is responsible for the effective law enforcement and the assistance to those who need help.

The police has 25 regional forces and one national force. The regional forces are each responsible for their own region and the national force, the Korps Landelijke Politiediensten, is responsible for the national police tasks. The core tasks of the police are provision of emergency, monitoring in the public space, actual maintaining public order and detection of criminal offenses (Grenzüberschreitendes Polizeiteam, n.d.b).

Within the police a major reorganisation has taken place. This reorganisation lead to a new police law, Police Law 2012. This law was entered into force on January 1st, 2013. With this new law the organisation of the police also changed. Since January 1st, 2013 the Dutch police has one police chief and consists ten regional units, one national unit and a police services centre. For the organigram of the national police and the police services centre see Appendix I-1 and Appendix I-2. The national unit consists seven services and the ten regional units consists five services each. Appendix I-3 show the organigram of the national unit.

The national units consists of the following seven services:

1) National Operational Centre Department

(Dienst Landelijk Operationeel Centrum)

This service looks at the operational status of the police and the society. It also collects information on the societal situation and the manpower and resources of the police. This allows them to react immediately when necessary (Politie, n.d.a & Politie, n.d.b);

2) National Criminal Investigation Department

(Dienst Landelijke Recherche)

Next to fighting the major organized crimes, this service is also responsible if Dutch citizens or Dutch property, outside the Dutch borders, are targeted in attacks or involved in activities of organized crime. Fighting crimes like terrorism, high tech crime, child pornography are also within the task of this service (Politie, n.d.a & Politie, n.d.b);

3) National Information Organisation Department

(Dienst Landelijke Informatie-organisatie)

This service is responsible for the international information exchange and the national coordination of information. With the information it is possible to get an overview and insight in the safety situation on international and national level. This information on the safety on international and national level is being used for the operational police work (Politie, n.d.a & Politie, n.d.b);

4) National Operational Co-operation Department

(Dienst Landelijke Operationele Samenwerking)

It has the task to work on technical innovation and give operational support to the police. The operational support includes witness protection, support of police dogs and phone tapping. The national forensic service is a part of this service. It provides the specific forensic knowledge to the regional units (Politie, n.d.a & Politie, n.d.b);

5) Infrastructure Department

(Dienst Infrastructuur)

Fighting crime and unsafety on the road, sea, railway and in the air are the most important tasks of this service. It also provides air support to support the police on the operational level (Politie, n.d.a & Politie, n.d.b);

6) Safety and Security Department

(Dienst Bewaken en Beveiligen)

In co-operation with the national coordinator of terrorism and safety, and the public prosecutor, this service provides the regional units with support and expertise on protection persons, services and objects. The security of the Dutch Royal Family is also one of the tasks of this department (Politie, n.d.a & Politie, n.d.b);

7) Special Interventions Department

(Dienst Speciale Interventies)

The arrest and support teams of the police are a part of this service. They are asked for support if the situation can be classified as life-threatening for both citizens and the police. They fight all forms of serious violence and terrorism (Politie, n.d.a & Politie, n.d.b).

The five services in each regional unit are:

- 1) Regional Operational Centre Department (Dienst Regionaal Operationeel Centrum);
 - 2) Regional Criminal Investigation Department (Dienst Regionale Recherche);
 - 3) Regional Information Organisation Department (Dienst Regionale Informatieorganisatie);
 - 4) Regional Operational Co-operation Department (Dienst Regionale Operationele Samenwerking);
 - 5) Management Regional Unit Department (Dienst Bedrijfsvoering Regionale Eenheid).
- (Politie, n.d.a & Politie, n.d.b)

The first four services of the national unit are the same for the regional units. The difference within the services is that the regional unit takes care of the tasks in their region and the national unit is

responsible for executing the tasks on national level. The fifth service of the regional unit is the Management Regional Unit Department. This service takes, in limited extent, care of press communications and the scheduling of employees (Politie, n.d.a). For the organigram of the regional unit see Appendix I-4.

The tasks of the police are described in Article 3 of the Police Law 2012⁹. The Police Law does not describe police co-operation with other countries. In Article 6 until 10 of the Police Law, the competences of the police are described.

Each regional unit has its own region in which they have to take care of the police tasks. The work of the national unit is cross-regional and it gives specialized support to the regional units. The police services centre supports the regional and national units.

3.1.1 Royal Netherlands Marechaussee

Next to the police there is the Royal Netherlands Marechaussee (Koninklijke Marechaussee). This is a police organisation with a military status. For the organigram of the Royal Netherlands Marechaussee see Appendix I-5. The tasks of the Royal Netherlands Marechaussee can be found in Article 4 of the Police law 2012¹⁰. Their tasks include protection and security, border police- and international and military police tasks, but there is no description of police co-operation with other countries in the police law. The competences of the Royal Netherlands Marechaussee are described in Article 6 until 10 of the Police Law.

Since 1998 the Royal Netherlands Marechaussee is an independent part of the Armed Forces of the Netherlands. The Armed Forces of the Netherlands are a part of the Ministry of Defense and consists of the Royal Netherlands Navy, the Royal Netherlands Air Force, the Royal Netherlands Army and the Royal Netherlands Marechaussee. The authority for about 80% of the tasks of the Royal Netherlands Marechaussee lies with other Ministries than the Ministry of Defense. It mainly lies with the Ministry of Justice (Ministry of Defence, n.d.).

3.2 Germany

In Germany the police is arranged by the states. There are a federal law and Federal Police (Bundespolizei). The tasks of the Federal Police are written down in §1 until §7 of the Federal Police Law (Bundespolizeigesetz)¹¹. The Federal Police Law does not describe police co-operation with other countries, with one exception. There are two paragraphs, §32.3 and §32a, on information exchange and the conditions around the information exchange with other countries.

The Federal Police is divided in border patrol, railway police, air safety, fighting crime, protection of federal bodies, tasks in emergencies and defense cases and tasks at sea (Bundespolizei, n.d.). The supervisory authority of the Federal Police is the Federal Ministry of the Interior. The competences and organisation of the Federal Police are described in §57 until §68 of the Federal Police Law¹². For the organigram of the German Federal Police see Appendix II-1.

⁹ *Politiewet 2012*, retrieved 22nd August, 2013 from http://wetten.overheid.nl/BWBR0031788/geldigheidsdatum_08-06-2014.

¹⁰ *Politiewet 2012*, retrieved 22nd August, 2013 from http://wetten.overheid.nl/BWBR0031788/geldigheidsdatum_08-06-2014.

¹¹ *Bundespolizeigesetz*, retrieved 21st August, 2013 from http://www.gesetze-im-internet.de/bgsg_1994/BJNR297900994.html.

¹² *Bundespolizeigesetz*, retrieved 21st August, 2013 from http://www.gesetze-im-internet.de/bgsg_1994/BJNR297900994.html.

For this research only the border patrol tasks are of value. The tasks of the border patrol include the police control of the border, the police control of traffic crossing the border and the prevention of threats on land or at sea.

Next to the Federal Police there is the state police. In Germany there are sixteen states. Each state has its own law and organisation of the police. This means that there are small differences in police law and execution of the police work between the states.

3.2.1 Lower Saxony

The police in Lower Saxony is being supervised by the Ministry of Internal Affairs and Sport. In addition, the State Police Headquarters is integrated as department 2 of the Ministry of Internal Affairs and Sport. This ensures, within the jurisdiction, the strategic leadership and manages the future direction (Polizei Niedersachsen, n.d.). The police tasks are described in §1 of the Police Law of Lower Saxony¹³. These tasks include the danger prevention (Gefahrenabwehr) and carry out the duties imposed by other legislation. It also describes the information exchange with other countries, §41 until §43, and the conditions around the information exchange with other countries. The competences and organisation of the police are described in §87 until §104 of the police law of Lower Saxony¹⁴.

Within the police of Lower Saxony, there are six district police headquarters (regionale Polizeidirektionen) in the cities Braunschweig, Göttingen, Hanover, Lüneburg, Oldenburg and Osnabrück. The police headquarters are responsible for the supervision of the police tasks and they are in charge in exceptional cases, for example hostage situations. Other tasks of the district police headquarters are disaster control, fire protection and civil defense. Each district police headquarter has a central criminal investigation bureau (Zentrale Kriminalinspektion) and four to seven local police stations (Polizeiinspektionen). The criminal investigation bureau deals with the special crime, for example organized crime, gang crimes and corruption. The local police stations are responsible for the core tasks of the police. In total there are 33 local police stations in Lower Saxony. Next to the local stations there are also 87 precincts (Polizeikommissariate) and five highway patrol precincts (Autobahn-polizeikommissariate). Their tasks are the operational and patrol duties, which includes the traffic cases, the crime and investigation service, and prevention tasks (Polizei Niedersachsen, n.d.). For the organigram of the police of Lower Saxony see Appendix II-2.

Next to the district police headquarters there are the central district police headquarters, the State Criminal Investigation Bureau and the Police Academy.

The central district police headquarters combine the tasks of the Anti-Riot police (Bereitschaftspolizei), the water police (Wasserschutzpolizei), the information and communication technology, and the management of the vehicles of the police and the operational resources (Polizei Niedersachsen, n.d.).

The State Criminal Investigation Bureau ensures the co-operation in criminal matters between the states and the country and it supports the police by providing necessary knowledge and experts (Polizei Niedersachsen, n.d.).

The Police Academy is responsible for the education and advanced training of the police, research and selecting the police officers (Polizei Niedersachsen, n.d.).

¹³ Niedersächsischen Gesetz über die Öffentliche Sicherheit und Ordnung, retrieved 21st August, 2013 from <http://www.nds-voris.de/jportal/?quelle=jlink&query=SOG+ND&max=true&aiz=true>.

¹⁴ Niedersächsischen Gesetz über die Öffentliche Sicherheit und Ordnung, retrieved 21st August, 2013 from <http://www.nds-voris.de/jportal/?quelle=jlink&query=SOG+ND&max=true&aiz=true>.

3.2.2 North Rhine-Westphalia

Since July 1st, 2007 the police in North Rhine-Westphalia is organized on two levels, police district authority (Kreispolizeibehörde) and state authority (Landesoberbehörde). The police consists of 47 police district authorities and three state authorities (Polizei NRW, n.d).

The tasks of the police are written down in §1 of the Police Organisation Law North Rhine-Westphalia (PolG NRW)¹⁵. These tasks include the fight against any threat to the public safety or order and to carry out the duties imposed by other legislation. The organisation and competences are written down in another law, namely Law on the organisation and competences of the police in the state North Rhine-Westphalia – Police organisation law (POG NRW)¹⁶.

The Ministry of Home Affairs and Local Government is the supreme authority of the police and it gets support of the three state authorities with the supervision of the police district authorities.

These three state authorities are:

1) State Criminal Investigation Bureau

(Landeskriminalamt)

This department has multiple tasks. One of the tasks is to support the Ministry of Home Affairs and Local Government with matters of crime fighting activities and the police district authorities with the prosecution and enlightenment of crimes, and preventive crime fighting. In §13 of the PolG NRW¹⁷, all tasks of the State Criminal Investigation Department are described (Polizei NRW, n.d.);

2) State Office for Central Police Services

(Landesamt für Zentrale Polizeiliche Dienste)

The technical equipment of the police and all matters of information and communication technology are a few of the tasks of this department. It also supports the Ministry of Home Affairs and Local Government with tasks of emergence cases, crisis management and tasks of traffic security. All tasks of the department are described in §13a of the PolG NRW¹⁸ (Polizei NRW, n.d.);

3) State Office of Education, Training and personnel matters

(Landesamt für Ausbildung, Fortbildung und Personalangelegenheiten)

This department is responsible for the education and advanced training of the police as far as the training is not perceived by the College of Public Administration or the district police authorities and education authorities. In addition the state authority is responsible for all legal employment matters. The tasks of this authority are described in §13b of the PolG NRW¹⁹ (Polizei NRW, n.d.).

3.3 Legislation in Europe

The legislation in the Netherland and Germany are influenced by the legislation in Europe. In Europe there are two important authorities that have the power to make legislation that influences multiple

¹⁵ Polizeigesetz des Landes Nordrhein-Westfalen, retrieved August 20th, 2013 from https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=2&gld_nr=2&ugl_nr=205&bes_id=5173&aufgehoben=N&menu=1.

¹⁶ Gesetz über die Organisation und die Zuständigkeit der Polizei im Lande Nordrhein-Westfalen - Polizeiorganisationsgesetz, retrieved August 20th, 2013 from https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=2&gld_nr=2&ugl_nr=205&bes_id=5072&menu=1&sg=0&aufgehoben=N&keyword=polizei#det0.

¹⁷ Polizeigesetz des Landes Nordrhein-Westfalen, retrieved August 20th, 2013 from https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=2&gld_nr=2&ugl_nr=205&bes_id=5173&aufgehoben=N&menu=1.

¹⁸ Polizeigesetz des Landes Nordrhein-Westfalen, retrieved August 20th, 2013 from https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=2&gld_nr=2&ugl_nr=205&bes_id=5173&aufgehoben=N&menu=1.

¹⁹ Polizeigesetz des Landes Nordrhein-Westfalen, retrieved August 20th, 2013 from https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=2&gld_nr=2&ugl_nr=205&bes_id=5173&aufgehoben=N&menu=1.

countries in Europe. The authorities are the Council of Europe (CoE) and the European Union. Legislation of the CoE concerns all European countries. In the case of the EU, only the countries that joined the EU are influenced by legislation from the EU. The most important agreements of the CoE and the EU for police co-operation are explained below.

In Europe, it is also possible to make an agreement between two countries. These agreements are called bilateral agreements. The Netherlands and Germany made several bilateral agreements. In paragraph 2.3.3. these agreements are further addressed.

3.3.1 Council of Europe

In the aftermath of World War II, a number of representatives from several countries in Europe held a conference in 1949. The goal of this conference was to make co-operation possible between the participating parties. The result of this conference was that the Council of Europe was founded. The CoE started with 10 members and soon it started to grow. Nowadays the CoE consists of 47 countries. The goal of the CoE is “to achieve a greater unity between its members for the purpose of safeguarding and realizing the ideals and principles which are their common heritage and facilitating their economic and social progress” (Bond, 2012, p. 82).

In 1959, the Members of the CoE agreed on the European Convention on Mutual Assistance in Criminal Matters. This agreement is the first in the line of several agreements concerning co-operation in criminal matters. With this agreement, the Members agreed on mutual assistance in the broadest sense of the word. Examples of the mutual assistance concern hearing witnesses and collecting evidence²⁰. In 1978 and 2001, two additional protocols to the Convention were made. These two protocols made the provisions more complete, with the result that it was not possible to refuse assistance in the case an offence is a fiscal offence in the country of the requested party²¹ and it made the provision of assistance more flexible and easier²².

Next to the CoE, the EU was founded. The EU started as Coal and Steel Community in 1951. In 1992, the Treaty of Maastricht changed the name to European Union (European Union, n.d.). The main activities of the EU concern “economic and monetary integration, with a long-term goal of political integration” (Bond, 2012, p. 6). In addition, the EU is also increasingly concerned with defense and security issues (Bond, 2012).

3.3.2 European Union

In the EU, one of the most important conventions on police co-operation is the Schengen Agreement of 1985. Within this agreement the participating countries agreed on removal of the borders and inspections between the participating countries²³. A result of the Schengen Agreement is the Schengen Information System. This system makes the information exchange easier for the police in the participating countries. In 1990, the participating parties made an additional convention on the

²⁰ *European Convention on Mutual Assistance in Criminal Matters* (1959), retrieved September 2nd, 2013 from <http://www.conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=030&CM=8&DF=02/04/2014&CL=ENG>.

²¹ *Additional Protocol on the European Convention on Mutual Assistance in Criminal Matters* (1978), retrieved April 4th, 2014 from <http://www.conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=099&CM=8&DF=02/04/2014&CL=ENG>.

²² *Second Additional Protocol on the European Convention on Mutual Assistance in Criminal Matters* (1978), retrieved April 4th, 2014 from

<http://www.conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=182&CM=8&DF=02/04/2014&CL=ENG>.

²³ Schengen Agreement (1985), retrieved September 5th, 2013 from <https://zoek.officielebekendmakingen.nl/trb-1985-102.html?zoekcriteria=%3fzkt%3dUitgebreid%26pst%3dTractatenblad%26vrt%3dschengen%26zkd%3dInDeGeheleText%26dpr%3dAlle%26spd%3d20140401%26epd%3d20140401%26igp%3d1985%26nrp%3d102%26sdt%3dDatumTotstandkoming%26sysYear%3d%26sysNumber%3d%26sysSeqNumber%3d%26pnr%3d1%26rpp%3d10&resultIndex=0&sorttype=1&sortorder=4>

execution of the Schengen Agreement²⁴. In this convention there is an entire chapter on police co-operation. In the first article of chapter on police co-operation, article 39, the countries agree on the co-operation of the police forces within the borders of the participating countries, and under which circumstances the police can co-operate across-borders.

As a result of the Convention on Mutual Legal Assistance in Criminal Matters of 2000, a program was developed that makes the co-operation between the police, judicial and customs authorities easier. This project is called the JIT Project. JIT stands for Joint Investigation Team and is “an investigation team set up for a fixed period, based on an agreement between two or more EU Member States and/or competent authorities, for a specific purpose” (Europol, n.d.). If non EU members want to participate, they need the agreement of the other participating parties. A JIT can be used to investigate specific cases. If countries want to set up a permanent team for a specific crime, it is not possible to use the concept of JIT (Europol, n.d.). The JIT Project is run by Europol and Eurojust. Europol is a European police organisation and Eurojust is the European Union's Judicial Co-operation Unit.

The most recent convention in the EU is the Convention from 2005 between the Kingdom of Belgium, the Federal Republic of Germany, the Kingdom of Spain, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the Republic of Austria on the stepping up of cross-border co-operation particularly in combating terrorism, cross-border crime and illegal migration²⁵. It is also called the Prüm Convention and many of the EU-members have joined this convention after it was signed in 2005. This convention contains among others things the possibility to exchange DNA and fingerprinting, vehicle registration data, measures to prevent terrorist offences, measures to combat illegal immigration, joint patrols and assistance. The convention explicitly describes the collection, automatic search and supply of personal data on the DNA and fingerprinting data, and rules for dealing with the data.

3.3.3 Bilateral agreements

Next to the agreements and treaties of the CoE and the EU, there are also a number of agreements between the Netherlands and Germany. These agreements are made to improve and simplify the cross-border police co-operation between the two countries. This type of agreement is called bilateral agreement, because there are two participating countries. The two most important bilateral agreements in the EUREGIO and Euregio Meuse-Rhine are:

1) Agreement between the Kingdom of the Netherlands, the Federal Republic of Germany, Lower Saxony and North Rhine-Westphalia concerning cross-border co-operation between territorial communities or authorities²⁶. This agreement describes the borders and the authority of the police

²⁴ *Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders (1990)*, retrieved September 2nd, 2013 from <https://zoek.officielebekendmakingen.nl/trb-1990-145.html?zoekcriteria=%3fzkt%3dUitgebreid%26pst%3dTractatenblad%26vrt%3dschengen%26zkd%3dInDeGeheleText%26dpr%3dAlle%26spd%3d20140403%26epd%3d20140403%26jgp%3d1990%26nrp%3d145%26sdt%3dDatumTotstandkoming%26sysYear%3d%26sysNumber%3d%26sysSeqNumber%3d%26pnr%3d1%26rpp%3d10&resultIndex=0&sorttype=1&sortorder=4>.

²⁵ Prüm Convention (2005), retrieved April 1st 2014 from http://wetten.overheid.nl/BWBV0002898/geldigheidsdatum_03-06-2010.

²⁶ *Agreement between the Kingdom of the Netherlands, the Federal Republic of Germany, and the States of Lower Saxony and North Rhine-Westphalia concerning transboundary co-operation between territorial communities or authorities (1991)*, retrieved September 2, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/1991/5/004673.html>.

co-operation. This includes the goals, forms, supervision and judicial process of the co-operation. It also describes the conditions and arrangements of the public and common body.

2) Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters²⁷. This treaty describes the general conditions and all possible forms of the police co-operation. Some examples of police co-operation which are possible by the treaty are: the widening of the cross-border observation and pursuit possibilities, and the securing and the handing over of evidence in emergency cases.

3.4 Conclusion

With the information from this chapter, it will be possible to answer the following question:

How is cross-border police co-operation between the Netherlands and Germany legally and institutionally regulated?

In the Netherlands, there is one police law for both the National Police and the Royal Netherlands Marechaussee. This is the Police Law 2012. It describes the tasks and responsibilities, but it does not describe the police co-operation with other countries.

On the other hand in Germany, each police organisation has its own police law. For the Federal Police this is the Federal Police law. The police in North Rhine-Westphalia has the PolG NRW and in Lower Saxony the police has the Police Law of Lower Saxony. These laws describe the tasks and responsibilities of the police. The Federal Police Law (§32.3 and §32a) and the Police Law of Lower Saxony (§41 until §43) describe information exchange with other countries. This is not the case with the PolG NRW.

In Europe there are several agreements that make police co-operation in the EUREGIO and Euregion Meuse-Rhine easier. These agreements are made by the CoE, the EU or, in the case of bilateral agreements, by the Netherlands and Germany.

The first agreement that was made to improve the police co-operation is the European Convention on Mutual Assistance in Criminal Matters of 1959. This agreement was made by the CoE. It describes the possibilities and boundaries on mutual assistance. For example, collecting evidence and hearing witnesses. In 1978 and 2001, additional protocols were made. These protocols made the co-operation easier, more flexible and it describes when assistance cannot be refused.

The EU made the Schengen Agreement (1985) and an additional convention on the execution of the Schengen Agreement (1990). This agreements made the police co-operation easier by removal of the internal borders in the EU and it describes the boundaries of the co-operation. Next to the Schengen Agreement, there is another important agreement. This is the Prüm Convention. This makes it possible to exchange DNA, fingerprinting and vehicle registration data between the participating countries. It also describes measurements to prevent terrorist offences, measurement to combat illegal immigration, joint patrols, assistance and rules for dealing with the data.

To make the police co-operation easier the Netherlands and Germany made bilateral agreements. The two most important agreements are: the Agreement between the Kingdom of the Netherlands, the Federal Republic of Germany, Lower Saxony and North Rhine-Westphalia concerning cross-

²⁷ Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters (2005), retrieved June 19, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/2005/3/010856.html>.

border co-operation between territorial communities or authorities (1991) and the Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters (2005). The agreements describe the conditions and borders of the police co-operation.

Crime does not happen in just one country, it passes the borders. To solve and prevent the cross-border crimes authorities on several levels made agreements to make the police co-operation easier. It takes away borders and obstacles that exist between the police and the judicial system in the Netherlands and Germany. This shows that it is important for the countries to regulate the police co-operation. Although on institutional level, police co-operation is not or only partially described.

4 Euregions

After World War II, co-operation between the countries in Europe became very important. The countries wanted to improve and intensify the co-operation between the countries. This led to the idea of Euregional co-operation and in 1958 the first Euregion was a fact.

In 1980, the CoE made an agreement on cross-border co-operation. This agreement should make it easier to found Euregions²⁸. Although the Euregions already existed in 1980. The establishment of Euregions is stimulated in Europe. It shows that Euregions are very important for the cross-border co-operation between countries.

In this research, the police co-operation in the EUREGIO and the Euregion Meuse-Rhine are analysed. In this chapter, the police co-operation in the two Euregions will be discussed. With the information about cross-border police co-operation in the EUREGIO and Euregion Meuse-Rhine, it will be possible to answer the following subquestions of this research:

What is the scope and intensity of the police co-operation in the EUREGIO?

What is the scope and intensity of the police co-operation in the Euregion Meuse-Rhine?

4.1 EUREGIO

The EUREGIO was the first Euregion in Europe. It was established in 1958 and is registered as an association under German law. The EUREGIO consists of the General Assembly, the EUREGIO Council, the CEO and the Board (EUREGIO, 2013a, p. 3). Due to the binational structure, the Netherlands and Germany are equally represented in the Euregion. This shows in the Council of the EUREGIO. It consists of 41 Dutch and 41 German representatives. Another characteristic of the EUREGIO are the working groups. These groups consist of experts with different fields. Their task is to give advice, provide and guarantee that they are up-to-date on what is going on in the EUREGIO (EUREGIO, n.d.a, p. 17).

4.1.1 Tasks & Goals

The task of the EUREGIO is to support, stimulate and coordinate the cross-border co-operation between the members of the Euregion. Furthermore, the EUREGIO can organize projects and events to reach their goals. The co-operation in the EUREGIO looks at sixteen different areas (EUREGIO, 2013a). This research will be focusing on the police co-operation, because the police takes care of the public safety in the EUREGIO.

The EUREGIO has several goals. It wants to improve the co-operation between the different police organisations, get an overview of all possible risks and dangers, exchange information between the countries about the structure and jurisdiction of the respective country and have a good communication channel in case of public emergency. Therefore it wants to promote the exchange of information and experience, build networks, promote exercises between the police of both countries and give support in the development of cross-border co-operation agreements and arrangements for mutual assistance (EUREGIO, 2012).

²⁸ *European Outline Convention on transfrontier co-operation between territorial communities or authorities* (1980), retrieved May 28th, 2014 from http://wetten.overheid.nl/BWBV0004011/geldigheidsdatum_28-01-2013.

4.1.2 Workgroups

There are several workgroups that concerns the police co-operation in the Euregion. One of those workgroups is from the EUREGIO. This means that the police is not represented, it only consists of employees of the EUREGIO. The workgroup is called the Commission Mozer/Social Development. In the past, this was the workgroup Public Order and Safety. The goal of this workgroup is to exchange knowledge (Respondent EUREGIO) and to maintain and improve the networks (EUREGIO, 2013b).

An important workgroup is KODAG-North. KODAG stands for Koordinierende Arbeitsgemeinschaft Niedersachsen – Niederlande (EUREGIO, 2008, p.54). This workgroup consists of three layers. The first layer is the chief meeting, in which the police chiefs of the participating authorities meet once a year. The second layer is the workgroup, which consists of the coordinators international police co-operation from the Dutch Police, Royal Netherlands Marechaussee, the German Federal Police, the police of Lower Saxony and the police of North Rhine-Westphalia are represented (Respondent Dutch Police, Police of Lower Saxony & Police of North Rhine-Westphalia). They meet about four to six times a year, or if necessary they will plan an additional meeting (Respondents Police of North Rhine-Westphalia & Police of Lower Saxony). They work on important police themes in the Euregion of which they think that it could develop into a problem or is already a problem. And the third layer is the lower workgroup. As soon as the themes are chosen the lower workgroups will work on a solution (Respondent Police of Lower Saxony).

4.1.3 Projects

Within the EUREGIO there are several projects that receive funding from INTERREG, for the last fifteen years. Some examples of these projects are: Cross-border co-operation between the German highway patrol and the Dutch National Police Services Agency, Cross-border Conference Head of Criminal Investigation Department and View on Financial Investigation. These projects had the goal to improve the networks and the co-operation between the Netherlands and Germany (EUREGIO, n.d.b). There is another project that is very important for the police co-operation. This is the cross-border police team and will be explained below.

4.1.4 Cross-border Police Team

A very important initiative of the police co-operation in the EUREGIO is the 'Grenzüberschreitendes Polizeiteam' (GPT). The Grenzüberschreitendes Polizeiteam is a cross-border police team that started in 2008 and works in the Dutch-German border region. This project was subsidized by INTERREG. This project officially ended at 2013, but there was money to extend the project until 2014. The participating partners agreed that they want to continue the police co-operation in the form of the cross-border police team (Respondent Dutch Police). The lead partner in this Project is the Polizeidirektion Osnabrück. They are working on a concept to continue the cross-border police team (Respondent Dutch Police). The goal is not only to keep the cross-border team going, but also to get funding from the INTERREG. The EUREGIO is supporting the police with this subsidy application (Respondent Dutch Police).

The working area of the GPT does not cover the entire Euregion, because the GPT only works along the border between the Netherlands and Germany. Figure 3 shows the working area of the GPT. Within this team, the German Federal Police, the police of North Rhine-Westphalia, the police of Lower Saxony, the Royal Netherlands Marechaussee and the Dutch police work together. The Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-

border co-operation by police and in criminal law matters²⁹, gave the cross-border police team a stable foundation and allowed the police from the two countries to intensify their co-operation (Grenzüberschreitendes Polizeiteam, n.d.a). This means that the police from both countries can do their surveillance work together, although each police officer is responsible for his own tasks and jurisdiction. This police team makes it easier to exchange information between police in the Netherlands and Germany.



Figure 3: The working area of the GPT.

Source: Grenzüberschreitendes Polizeiteam, *Informationen zum Grenzüberschreitenden Polizeiteam – GPT*, retrieved September 2nd, 2013 from <http://de.g-p-t.eu/informationen/informationen-zum-grenzueberschreitenden-polizeiteam-gpt.html>.

According to the interviewees, it is a good team and with the work they do, they are an added value to the police co-operation (Respondents Police of North Rhine-Westphalia & Royal Netherlands Marechaussee). The results that this team make, are excellent (Respondent EUREGIO), although there are some points of improvement. This showed the evaluation that was held by the Dutch Ministry of Safety and Justice. One of the points of improvement is the analysis capacity of the team (Respondent Dutch Police). Overall can be said that the interviewees all agree that the GPT is functioning properly (Respondents from all police organisations). Also police organisations in other countries want to create a GPT, because they see that the cross-border police co-operation is improved (Respondent German Federal Police).

²⁹ Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters (2005), retrieved June 19th, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/2005/3/010856.html>.

4.1.5 Difficulties & Improvements

During the interviews there were a few difficulties and points of improvement that were addressed by the interviewees, that were almost the same, especially from the police organisations.

There are differences in the police organisations in the Netherlands and Germany. The interviewees express that there are some practical differences that can make the police co-operation a bit more difficult. For example, in the Netherlands there is a time set for lunch. In Germany this is not the case. So when a Dutch police officer and a German police officer drive in the same police car, lunchtime can be a problem (Respondent German Federal Police). Even between the states in Germany there are big differences in the police organisations. Where Lower Saxony has a centralized police organisation, North Rhine-Westphalia has several police authorities. In North Rhine-Westphalia, the police organisations is more fragmented and each police authority has influence on the police structure and policy (Respondent Dutch Police). Each police authority has its own coordinator international co-operation. Where there is only one office that is responsible for the international co-operation in the Netherlands and Lower Saxony, North Rhine-Westphalia has 47 offices. Therefore it is not difficult to find the coordinator in the Netherlands or in Lower Saxony, but for North Rhine-Westphalia it is not always that easy (Respondent Police of North Rhine-Westphalia).

Several interviewees told that the knowledge on law, regulation and cross-border co-operation is insufficient (Respondents German Federal Police & Police of Lower Saxony) and even decreasing (Respondent Dutch Police). On the Dutch side of the border they are working on educating one or two officers from each basic team. So that each basic team has a contact point and when a police officer has questions he or she can ask the contact point (Respondent Dutch Police). On the German side, the interviewees told that they would like to see that police officers would get more education on law, regulation and cross-border co-operation (Respondents German Federal Police, Police of Lower Saxony & Police of North Rhine-Westphalia). There is not only a demand for education on law, regulation and co-operation, but also for joint training and retraining. This way the police officers on both sides of the border have knowledge on law and regulation from both countries (Respondent German Federal Police) and they can exchange experiences and knowledge (Respondent Police of North Rhine-Westphalia).

The networks within the police co-operation are still very dependent on a combination of circumstances. The networks of the police officers who work across the borders are very often formed by casual encounters. As soon as police officers transfer to other positions or places, it is possible that those contacts disappear. Therefore the networks should be build in a more structured way (Respondent Dutch Police). In the past police officer A from one side of the border knew police officer B from the other side. And all the information exchange that took place, was not shared within the own police organisation. It must no longer be the case that police officers know each other by accidental encounters and that the police officers keep the information to themselves, but that the police officers get in contact because of their positions and share the information with their own police organisation (Respondent Royal Netherlands Marechaussee).

Although the interviewees are very satisfied on the information exchange and many see it as a strong point of the police co-operation (Respondent Dutch Police & Royal Netherlands Marechaussee), there is unfortunately no direct data connection between the cross-border police organisations. This makes it difficult to exchange personal information between the countries. The police is not allowed to send personal and confidential data over het world wide web. That is why, for example, the German police sometimes prints the documents and hands it personally to the Dutch police on the other side of the border so that they can scan the documents in to the Dutch police system (Respondent German Federal Police). The police organisations on both sides of the border are working on a safe data connection which allows them to exchange confidential information

(Respondent Dutch Police). This will improve the police co-operation, because the information exchange will be quicker and more efficient (Respondent Royal Netherlands Marechaussee). A possible solution could be an information centre that would have the knowledge to send the information to the right positions and that could also be the contact point for police officers in the field who have questions (Respondent German Federal Police).

Within the Euregion each police organisation has its own communication system. This means that as soon as the cross-border police team drives with a Dutch and German officer, they need five different portable radios. One for each police organisation (Respondent Royal Netherlands Marechaussee). Unfortunately, with the digital portable radios it is not possible to listen to the radio system of the other organisations.

One point that almost all interviewees from the police organisations mentioned, is language. They all agree that the knowledge of the language of the other country is decreasing. Some said that it is important to improve the language skills (Respondent Dutch Police). Also the idea to use English as the language to communicate between the two countries, was brought up (Respondent Police of North Rhine-Westphalia). But that would mean that the text should be translated twice if the communication language would become English (Respondent Royal Netherlands Marechaussee). For example, from Dutch to English and then from English to German. This could make things more complicated if the text is not correctly translated.

4.2 Euregion Meuse-Rhine

The Euregion Meuse-Rhine was founded in 1976 as a working group. Since 1991 the Euregion became a foundation under the Dutch law and therefore the Euregion received a legal status. There are 5 regions that participate in this Euregion, these are the south of the province Limburg (Netherlands), the province Limburg (Belgium), the province Liège (Belgium), the region Aachen (Germany) and the German-speaking community (Belgium) (Euregion Meuse-Rhine, n.d.a). The Euregion consists of the Board, the Euregion Council and the Social and Economic Council. The Board consists 20 members, 4 representatives from each region, and they make all important decisions about the functioning of the Euregion (Euregion Meuse-Rhine, n.d.b).

The Euregion has seven different areas on which it wants to improve its co-operation. One of these areas is the public safety. The police is responsible for the public safety in the Euregion. For this reason the focus of this study will be on safety in the Euregion for this research.

4.2.1 Tasks & Goals

The goal of the Euregion is to improve the quality of life for the citizens and visitors of the Euregion Meuse-Rhine. The Euregion is trying to achieve this goal by giving information to the citizens, visitors and organisations within the Euregion. Therefore there has to be good communication and co-operation within the Euregion. This applies on all areas and not only the public safety area (Euregion Meuse-Rhine, n.d.c.).

In the strategic paper for 2020, the Euregion states that it is satisfied with the police co-operation and that, where necessary, it will improve and deepen the co-operation (Euregion Meuse-Rhine, 2013). The goal is to integrate and further develop the existing co-operations on civil and police safety within the Euregion. The Euregion has several long term goals they want to work on, for example the consultation with NeBeDeAgPol and Forum ad Mosam (Euregion Meuse-Rhine, n.d.d).

4.2.2 Workgroups

Within the Euregion, there are several workgroups. The NeBeDeAgPol and the Forum ad Mosam are two workgroups in which the police and the public prosecutors from the participating countries work together.

The NeBeDeAgPol is a union of police officials from the Euregion Meuse-Rhine. It wants to optimise the cross-border co-operation of the police to be able to guarantee the optimal safety of the citizens (EMROD, n.d.a). Therefore there is a meeting of the steering committee on a bimonthly basis. The steering committee consists of three police chiefs, one of each participating country. Next to the steering committee, there are also five workgroups who meet on a monthly basis. Each workgroup has its own topic were it works on, for example fighting crime, traffic or education, and each with the goal to improve the police co-operation. The general meeting of members is once a year (NeBeDeAgPol, n.d.a).

The Forum ad Mosam is a society of judges and public prosecutors in the Euregion. The goal of this society is to facilitate the daily legal border crossings for the judiciary (Forum ad Mosam, n.d.). In 2010, there was a conference of the Forum ad Mosam in Eupen. There is no information available after this date.

4.2.3 Euregional organisations

There are several Euregional organisations that have different tasks, but they have the same goal: to improve the police co-operation in the Euregion Meuse-Rhine. One of the organisations is on international police co-operation in the participating countries and another one is about the information exchange between the police in the Euregion.

4.2.3.1 BES (*Bureau voor Euregionale Samenwerking*)

In 2004, the BES was founded. BES stands for 'Bureau voor Euregionale Samenwerking'. This organisation works on improving the international co-operation in criminal matters in the Netherlands, Belgium and Germany (EMROD, n.d.b).

The BES has two main goals. The first goal is to intensify and improve the fight against cross-border crime in the Euregion Meuse-Rhine. The BES does so by making a Euregional crime policy and crime analysis. The second goal is to be a point of contact within the public prosecutor's office for the international police and judicial co-operation in the Euregion Meuse-Rhine. Therefore the BES acquires knowledge and expertise, makes a database to store all relevant information and gives advice to other organisations (EMROD, n.d.c). A Euregional crime policy and a point of contact within the public prosecutor's office makes the police co-operation in the Euregion easier and makes the information exchange quicker, because the official paths are shorter.

4.2.3.2 EPICC (*Euregionaal Politie Informatie en Coördinatie Centrum*)

Another organisation is EPICC. This organisation was founded in 2005 and has the motto 'faster, better, more'. The foundation of EPICC is built on the European legislation, including the Schengen Agreement. EPICC consists of 30 police officers from the Netherlands, Germany and Belgium. This is completed by members of Royal Netherlands Marechaussee and representatives of the Public Prosecutor of the districts Roermond and Maastricht (NeBeDeAgPol, n.d.b).

The tasks of the EPICC are the information exchange and support cross-border police co-operation. Some examples of the operational support are observations, joint surveillances and pursuit of

suspects (NeBeDeAgPol, n.d.b). Information exchange between the participating countries was difficult, because there were different information systems and databases which were not compatible. Therefore a software program was developed to make the information exchange between the different police organisations easier. This program was further developed and is now called EMMI-ESLI (Euregionaal Multimediale Informatie-uitwisseling – Exchange System for Legal Information). With this software program, it is possible to exchange reports online between the police organisations. Therefore the waiting time is much shorter.

EPICC was founded for information exchange between the police of the Netherlands, Germany and Belgium. Also many police organisations from outside the Euregion discovered the use of EPICC and they now also use EPICC for information exchange (Nelen, Peters & Van der Hallen, 2013). EPICC makes information exchange between police organisations easier and it is simpler to get an overview of cross-border crime. EPICC also works together with other Euregional organisations and initiatives. Since 2008 the EPICC meets the EOT and the JHT's on a monthly basis (Fijnaut & De Ruyver, 2008). The EOT and the JHT are described below.

Since EPICC started, the requests on information expanded. As an example of the development of the requests: in 2005, there were 45.000 information requests and in 2010 the number of requests increased to 120.000 (NeBeDeAgPol, n.d.b).

4.2.4 Initiatives

Several initiatives were started in the Euregion Meuse-Rhine to improve the police co-operation. The three most important initiatives are described below.

4.2.4.1 GC-EMR

The GC-EMR (Gemeenschappelijk Centrum Euregio Maas-Rijn), is a centre that has the goal to improve coordination of the operational measures in the Euregion. They want to achieve this goal by improving the information exchange between the police organisations. And this should also improve the police and judicial co-operation. Furthermore the longer existing IRC will be integrated in this centre (Fijnaut & Spapens, 2005).

IRC stands for Internationaal Rechtshulpcentrum. The IRC Limburg is responsible for the requests of assistance in criminal matters in the Dutch part of the Euregion. The requests can be divided in police and judicial requests. A police request involves information exchange between the different police forces. This goes by Interpol or on the basis of art. 39 of the Schengen acquis³⁰. A judicial request is applied for if information is needed as evidence in a criminal case or if evidence has to be collected with coercive action. Just as EPICC, the IRC Limburg uses the EMMI-ESLI software for the information exchange (Fijnaut & Spapens, 2005).

An important development is that the requests from the police and public prosecutor increases. This does not only apply on the number of requests, but also on the scope of the support. Most requests

³⁰ *The Schengen acquis - Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders (1990)*, retrieved September 2nd, 2013 from <https://zoek.officielebekendmakingen.nl/trb-1990-145.html?zoekcriteria=%3fzkt%3dUitgebreid%26pst%3dTractatenblad%26vrt%3dschengen%26zkd%3dInDeGeheleText%26dpr%3dAlle%26spd%3d20140403%26epd%3d20140403%26jgp%3d1990%26nrp%3d145%26sdt%3dDatumTotstandkoming%26sysYear%3d%26sysNumber%3d%26sysSeqNumber%3d%26pnr%3d1%26rpp%3d10&resultIndex=0&sorttype=1&sortorder=4>

are about sharing information, but there is also an increase of being asked for operational assistance (Fijnaut & De Ruyver, 2008).

4.2.4.2 JHT (Joint Hit Team)

There has been a meeting between the Schengen Acquis in 1995. The Netherlands, Belgium, Luxembourg and France were present at this meeting. This meeting is called the Hazeldonk-meeting and was responsible for the foundation of the so called A-team. The name A-team comes from the working area, highway A16 in the Netherlands (Van Puyvelde, 2005). In 2004, the name A-team was replaced by the Joint Hit Team (JHT). This replacement was made possible by funding of the EU (Fijnaut & Ruyver, 2008). Within the JHT the police from the Netherlands, Belgium, Luxembourg and France are working together (Van Puyvelde, 2010). The goal of the JHT is fight against drugs-related crime in the Euregion Meuse-Rhine, especially drugs tourism. Normally the JHT works on smaller cases, like closing down illegal drugs retailers (Nelen, Peters & Van der Hallen, 2013). On larger cases, the JHT receives operational support from participating police organisations and special teams, for example arrest teams (Fijnaut & Ruyver, 2008). This team consists of police officers from the Netherlands, Belgium and France.

The co-operation with Germany was not possible, because the fight against drugs-related crimes was a task of German customs (Nelen, Peters & Van der Hallen, 2013). The treaty between the Netherlands and Germany³¹ made it possible to form a separate JHT. This JHT is called JHT-Zuid-Oost (Fijnaut & Ruyver, 2008). The goal of this team is not only the fight against drugs-related crimes, it fights against all crimes and has a general criminal jurisdiction (Nelen, Peters & Van der Hallen, 2013).

4.2.4.3 EOT (Euregionaal Opsporingsteam)

The EOT was founded in 2004 by the police of Limburg-South. This team works on cases of cross-border crime in the Euregion (Fijnaut & De Ruyver, 2008). At the moment, the EOT consists only of Dutch police officers. The goal for the future was that also police officers from Belgium and Germany join this team (Fijnaut & Spapens, 2005). Unfortunately this did not happen. The reason why is unknown, but it resulted in the fact that the EOT was a very small team of only 12 persons. Therefore in 2006 the EOT was merged with the Bureau Organized Crime. This makes it possible to work on four till five larger cases a year (Fijnaut & De Ruyver, 2008).

4.2.5 EMROD

In September 2009 a European INTERREG-project started in the Euregion. The duration of this project was from September 2009 until September 2013. The project is called EMROD. This is the abbreviation for 'Euregio Maas-Rijn Observatorium Delinquentie'. Due to this project, several institutions, including the police and the justice department, worked together on a crime fighting policy. Within this project there is special attention for the drug-related crime, because drugs are a huge problem in the Euregion. EMROD also deduces the differences of the procedures and legislation between the participating countries (Interreg, n.d.).

4.2.6 Difficulties & Improvements

Differences between the judicial and police organisations in the Euregion complicate the co-operation. Each country has its own organisations that are responsible for the investigation of crime. Therefore the systems in the participating countries are different. This makes it difficult for police

³¹ Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters (2005), retrieved June 19th, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/2005/3/010856.html>.

officers to know who they need to ask for information or help (Fijnaut & Spapens, 2005). According to Nelen, Peters and Vanderhallen (2013), it is not difficult to find the right contact, because for example EPICC is easily been found by the other Euregional organisations and next to the fact that most Euregional organisations are located in the same building. This overrules the conclusion of Fijnaut and Spapens (Nelen, Peters & Vanderhallen, 2013).

In the research of Fijnaut and Spapens (2005), it showed that there are little problems in the daily police work in the area of providing help. In cases of urgency, larger judicial obstacles are the problem, because of the differences in the judicial systems. Also one of the problems is the fact that the Netherlands and Germany are working from a different principle. The Netherlands works with the principle of opportunity, where Germany works with the principle of legality. The police officers in the Euregion are very aware of this fact and the problems that arise (Van Nelen, Peters & Vanderhallen, 2013).

The police officers in the Euregion are trying to improve police co-operation by making personal connections. Within the police co-operation there is the formal and informal way. Very often police officers first use their personal network, before they use the official way. The police officers are willing to make personal relationships with one another, this makes personal relationships very valuable in the police co-operation. This is being complicated by changes in positions. When the police officers transfer to other positions or places, the relationships have to be build again from scratch (Fijnaut & Spapens, 2005). And as Nelen, Peters and Vanderhallen (2013) state that mutual trust is very important for the information exchange and the police co-operation in the Euregion.

Another difficulty is the communication between the police in the Euregion. There is no direct communication, because the communication systems are not compatible. The police organisations have looked at possibilities to combine the police communication systems (Fijnaut & Spapens, 2005). Next to the communication system, the operational and registration system also need improvement. Van Nelen, Peters and Vanderhallen (2013) even call it one of the biggest problems in the Euregional police co-operation, because those systems are insufficiently connected.

According to Fijnaut and Spapens (2005), the police of Belgium, the Netherlands and Germany have joint training programs to improve the police co-operation. This way the police officers from the participating countries get to know each other and know what to expect from one another. In the border area between the Netherlands and Germany, the police organizes the Internationale Fahndungstag (International Investigation Day) biannual. During this event, police officers from several police organisations from the Netherlands, Belgium and Germany are present (Fijnaut & Spapens, 2005). Next to the joint programs the police forces in the Euregion talked about joint education in which police officers participate in the education of the other countries or even start an joint training (Nelen, Peters & Vanderhallen, 2013). This will improve the understanding between the police officers of all police organisations in the Euregion. In addition, the police officers get knowledge about the laws and working methods of the other countries in the Euregion.

The research of Nelen, Peters and Vanderhallen (2013) showed the establishment of EPICC had an positive influence on the police co-operation in the Euregion. EPICC makes the information exchange much easier and the waiting time shorter. All participating organisations in the Euregion agree on that point.

4.3 Conclusion

The information in this chapter about the EUREGIO and the Euregion Meuse-Rhine allows to answer the following subquestions:

What is the scope and intensity of the police co-operation in the EUREGIO?

What is the scope and intensity of the police co-operation in the Euregion Meuse-Rhine?

EUREGIO

The EUREGIO does not give much information on the workgroups in the Euregion on police co-operation. There is only one workgroup from the EUREGIO that works on public order and safety, and this workgroup has a supporting role in the police co-operation. It supports the police co-operation by helping with the subsidy application and starting projects to improve the co-operation. The projects give police officers on both sides of the border the opportunity to meet each other and to get to know each other. This will make it easier to make contact with the other police organisation.

The agreement³² from 2005 made it possible to create the GPT. The GPT is very important improvement for the police co-operation. All police organisations are very happy with the GPT and the results it achieves. Even other countries would like to create GPTs, because they see what kind an addition it is to the cross-border police co-operation. It brings the police officers from the two countries closer, because they drive mixed shifts and there is information exchange on a daily basis.

The existing workgroups, including KODAG-North, have meetings a few times a year. Under the circumstances that there are urgent problems, additional meetings will be held to work on a solution.

For the scope and the intensity of the police co-operation in the EUREGIO can be said that the police organisations of the Netherlands and Germany work together on a daily basis. This can also be said for the information exchange. Furthermore are there regularly meetings from several workgroups and if necessary additional meetings will be held. Also the GPT plays an important role in the cross-border police co-operation and makes sure that the co-operation goes well.

Euregion Meuse-Rhine

There are several workgroups, organisations and initiatives in the Euregion Meuse-Rhine that were started to improve the police co-operation. For example, the workgroup NeBeDeAgPol. They want to give optimal safety to the citizens of the Euregion by improving the police co-operation.

Then there are BES and EPICC, who are Euregional organisations. BES works on Euregional crime policy and analysis. EPICC ensures the information exchange between the police organisations in the Euregion and give operational support on the cross-border police co-operation.

The Euregion itself states in its strategy paper that they are satisfied with the police co-operation. Furthermore in their goals, they indicate that they want to extend the co-operation with the workgroups and organisations on the long term.

For the scope and intensity can be said that the Euregion created several organisations, work groups and initiatives to improve the cross-border police co-operation. There is crime policy and analysis on the Euregional level, there is an information centre for the daily information exchange and workgroups that meet on a regular basis to improve the police co-operation.

³² Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters (2005), retrieved June 19th, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/2005/3/010856.html>.

5 Methodology

With the information from the interviews, the documents and the researches, it will be possible to answer the research questions and test the hypotheses. This chapter describes the research design, data collection, operationalization and data analysis.

5.1 Research design

For this research the cross-sectional study design is used, because the observations are at one point in time and there is no treatment. A network analysis is conducted in order to answer the research questions. By analysing the network, the weak and strong points of the Euregions are described and therefore it is possible to compare the Euregions. In addition, it will also be possible to give explanations for the differences in the cross-border police co-operation between the two Euregions.

5.2 Data collection

The data about the police co-operation in the Euregion Meuse-Rhine are collected by using documents from the Dutch and German police, databases and scientific articles and researches.

For the EUREGIO six interviews are conducted. With the information from the interviews and the document analysis, it will be possible to draw conclusions concerning the police co-operation. Within the police, there are coordination points that supervise the police co-operation. Therefore a member from each co-ordination point will be interviewed. This means that three interviews are held: the Dutch police, the Lower Saxony police (Germany) and the North Rhine-Westphalia police (Germany). The other interviews will be held with a member of the Royal Netherlands Marechaussee, of the German Federal Police and of the EUREGIO. The above mentioned parties are the ones that are responsible for the police co-operation within the EUREGIO. For this reason these parties will be interviewed.

The following persons will be interviewed:

Organisation	Name	Position
EUREGIO	Marieke Maes	Policy Advisor Strategy (Beleidsmedewerker Strategie)
Dutch Police	Rob Wensing	Coordinator International Relations and Co-operation Policeforce East-Netherlands (Coördinator Internationale samenwerking voor de politie Oost-Nederland)
Royal Netherlands Marechaussee	Jacques Lemmerman	Coordinator of the East Border (Coördinator Oostgrens)
German Federal Police	Micheal Fickers	Deputy Head of the Federal Police District Office (Stellvertretender Inspektionsleiter)
Police Lower Saxony	Georg Alferink	Head of the Regional Liaison Office (Leiter der regionalen Verbindungsstelle)
Police North Rhine-Westphalia	Daniel Maltese	Officer in the Executive Staff (Sachbearbeiter im Leitungsstab)

The reason these people will be interviewed is that these persons are within their organisation responsible for the cross-border police co-operation. The members of the police organisations work on the cross-border police co-operation on a daily basis.

When the EUREGIO was approached for an interview, they told that they were not sure if they were able to answer the interview questions. Therefore they asked to send the questions and they would look if an interview would be possible. A few weeks later the EUREGIO sent the questions with answers and five attachments to the researcher. The attachments were sent for clarification or substantiation of the answers.

5.3 Operationalization

In this research the focus is on the scope and intensity of the police co-operation. To be able to say something about the scope and intensity, it is important to know the definitions that are used.

The definition of scope that will be used in this research is the range in which the police organisations work on the cross-border police co-operation. This means not only the police organisations itself, but also all the workgroups, initiatives and projects that were started to improve the police co-operation. Which goals do they have and how do they want to achieve those goals?

The intensity of the police co-operation refers to the number of meetings of the police organisations, workgroups, initiatives and projects.

Next to the scope and intensity of the police co-operation, there are also three factors that need to be operationalized. These factors are institutional, political and social factors. They will be measured by looking at the police organisations, the agreements and treaties and the interviews. By looking at the police organisations, it will be possible to find an explanation for the differences in the institutional factors. For the political factors, the legal agreements and treaties will be compared and also the EU-funding will be looked at. The information from the interviews, the government documents and the researches will make it possible to get an insight in the social factors.

5.4 Data analysis

The interviews are transcribed and open coded. Afterwards the data are compared, to answer the research questions. The interviews are in-depth and semi-structured. This means that there is a questionnaire, but there is also the possibility for follow up questions (Baarda, De Goede & Van der Meer-Middelburg, 2007). The Dutch questionnaire can be found in Appendix III and the German questionnaire in Appendix IV.

The information sources on the police co-operation in the Euregion Meuse-Rhine are searched to be able to answer the research questions. These information sources are documents, researches and websites.

6 Results Institutional, Political & Social Factors

In this research, the influence of the institutional, political and social factors on the police co-operation are analysed. With the information from the documents and interviews, it will be possible to answer the following research question:

What are the relevant political, institutional and social different characteristics of the EUREGIO and the Euregion Meuse-Rhine?

6.1 Institutional Factors

Each police organisation has its own policy and regulation. This can influence the police co-operation between the Netherlands and Germany. Therefore it is important to know what the relevant characteristics are for each Euregion.

EUREGIO

When we look at the police co-operation in the EUREGIO, the police organisations admit that it sometimes can be a bit difficult to co-operate. The police in the Netherlands and Lower Saxony have only one office for international co-operation, where the police of North Rhine-Westphalia has 47 authorities who all have their own office for international co-operation. Therefore it is not difficult to find the coordinator in the Netherlands or in Lower Saxony, but for North Rhine-Westphalia it is not always that easy (Respondent Police of North Rhine-Westphalia).

Another difference between the police organisations in the Netherlands and Germany is the fact that the police in both countries are working from a different principle. The Netherlands work with the principle of opportunity, where Germany works with the principle of legality. This means that in Germany if a police officer knows about a crime, he or she has to investigate that crime. Where on the other hand in the Netherlands, the law gives the police officer the room to react. The police officer has the possibility in case of smaller offences to give a warning instead of a ticket (Respondent Royal Netherlands Marechaussee).

In praxis, there are also some problems. A simple organizational example is, for example, the difference in the planning of the work schedule. In Germany, the police officers have the right to know the work schedule two to four weeks in advance. In the Netherlands, the police officers know their work schedule two to three months in advance. If anything changes in the work schedule it has financial consequences for the police organisation (Respondent German Federal Police). And when it comes to the communication system, there are circumstances that do not make the police co-operation easier. Within the Euregion, each police organisation has its own communication system. This means that as soon as the cross-border police team drives with a Dutch and German officer, they need five different portable radios. One for each police organisation (Respondent Royal Netherlands Marechaussee). Unfortunately with the digital portable radios it is not possible to listen to the radio system of the other organisations.

Euregion Meuse-Rhine

In the Euregion Meuse-Rhine, there are differences in the systems that the police organisations work with. Each country has its own organisations that are responsible for the investigation of crime. Therefore the systems in the participating countries are different. This makes it difficult for police officers to know who they need to ask for information or help (Fijnaut & Spapens, 2005). According to Nelen, Peters and Vanderhallen (2013), it is not difficult to find the right contact, because for

example EPICC is easily been found by the other Euregional organisations and next to the fact that most Euregional organisations are located in the same building.

Also one of the differences between the police organisations in the Netherlands and Germany is the fact that they are working from a different principle. The Netherlands works with the principle of opportunity, where Germany works with the principle of legality. The police officers in the Euregion are very aware of this fact and the problems that arise (Van Nelen, Peters & Vanderhallen, 2013).

There is a difference in the communication system between the police organisations in the Euregion. The communication systems are not compatible and therefore direct communication is not possible. The police organisations have looked at possibilities to combine the police communication systems (Fijnaut & Spapens, 2005). Also the operational and registration system need improvement. Van Nelen, Peters and Vanderhallen (2013) even call it one of the biggest problems in the Euregional police co-operation, because those systems are insufficiently connected.

6.2 Political Factors

Each Euregion is being influenced by political factors. In this research, the influence of the legal agreements and EU-funding on the cross-border police co-operation was analysed.

Within Europe there are agreements and treaties made by the EU and the CoE. In addition, there are also bilateral agreements between the Netherlands and Germany. These agreements make the police co-operation easier and makes it possible to exchange information between participating countries. The agreements that apply for the two Euregions are the same. The only difference is the way in which they use the agreements. For example, the EUREGIO used the police and judicial agreement³³ from 2005 to create the GPT.

Next to the agreements, there is also funding from the EU that could influence the police co-operation. The Euregions can apply for funding at the EU that can be used to improve the cross-border police co-operation. With the money from the funding both Euregion started projects that improve the cross-border police co-operation.

EUREGIO

The EUREGIO used the EU-funding to start a large project, the GPT. This was a big step forward in the police co-operation between the Netherlands and Germany. The GPT makes it easier to exchange information between the Netherlands and Germany. In addition, there were also smaller projects to improve the cross-border co-operation and the networks between the police organisations.

Euregion Meuse-Rhine

In the Euregion Meuse-Rhine, there was the project EMROD. Within this project several institutions worked together, including the police and the justice department. This project is seen as a success (Interreg Euregio Maas-Rijn, 2013). But there were also some smaller projects. All of the projects had the goal to improve the cross-border police co-operation and were supported by subsidies through INTERREG.

³³ Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning cross-border co-operation by police and in criminal law matters (2005), retrieved June 19th, 2013 from <http://www.minbuza.nl/en/key-topics/treaties/search-the-treaty-database/2005/3/010856.html>.

6.3 Social Factors

Not only institutional and political factors influence the police co-operation. Also social factors influence the police co-operation. The social factors that are measured in this research, are trust, knowledge and control. These three factors connect with each other and cannot function without each other. Therefore the following hypothesis will be tested.

EUREGIO

In a major reorganisation it can take several years until everything is settled. It can take about five to seven years (Respondent German Federal Police). Until now the reorganisation did not really have influence on the networks within the EUREGIO. The reason is that the coordinators for the cross-border police co-operation work for several years on their positions. Within the last few years there has been only one change of position. The most recent change of position was in 2013 at the police of North Rhine-Westphalia (Respondent German Federal Police). In North Rhine-Westphalia, the coordinators change more often between positions, for example the current coordinator will work for three years on this position and then he will change to another position within the police organisation (Respondent Royal Netherlands Marechaussee). That the coordinators work on the same position ensures a certain continuity which is very important for the police co-operation (Respondent Dutch Police). It also builds trust between the coordinators, because they work together for a longer period of time. And trust is very important for the police co-operation. The interviewee of the Dutch police said that international co-operation works according the principle of 'Build Trust, Create Value, Deliver Results' of which the Build Trust is the most important one (Respondent Dutch Police).

Euregio Meuse-Rhine

According to Nelen, Peters and Vanderhallen (2013), the participating parties in the police co-operation do not only have to take, but also have to give in order to make the co-operation successful. This means that the own goals have to be subordinate to the common goals. The Dutch police does not always show the selflessness the other parties do. Therefore the trust in the Dutch police organisation is not always on a high level. On the individual level, there are very good networks between police officers. And research shows that most of the networks are dependent on personal contacts (Nelen, Peters & Vanderhallen, 2013).

There is not much information available on the police co-operation in the Euregio Meuse-Rhine since the reorganisation started. There are some parties in the police co-operation who tell from experience that when the organisation structure goes through larger changes, it is possible that contacts disappear (Nelen, Peters & Vanderhallen, 2013). With the information from the documents and researches it is not possible to test the hypothesis, because there is not enough information present to say something about the influence of the reorganisation.

6.4 Conclusion

The information this chapter about the institutional, political and social factors will make it possible to answer the following question:

What are the relevant political, institutional and social different characteristics of the EUREGIO and the Euregio Meuse-Rhine?

EUREGIO

The police organisations in the Netherlands and Germany work with different principles. In the Netherlands, the principle of opportunity is used and in Germany, the principle of legality. Besides that there are also differences in the communication systems and difficulties in finding the right person within the police organisation. The EUREGIO acknowledges that the communication systems are not compatible and this makes the police co-operation more difficult. Also finding the right person within a police organisations it not always that simple, because of differences in the structures of the police organisations. Especially at the police of North Rhine-Westphalia, because they have a very fragmented structures.

For the EUREGIO the INTERREG program, from the EU, is very important. With this program they were able to start the GPT and some smaller projects. The result of the GPT is that the cross-border police co-operation between the Netherlands and Germany improved and it makes it easier to exchange information. Each project has the goal to improve the police co-operation.

The interviewees stated that the reorganisation did not really have influence on the informal networks and the police co-operation. There is a certain continuity within positions of the coordinators for the cross-border police co-operation. The police officers know each other and what to expect from each other. This enlarges the trust and stabilizes the networks between the coordinators.

Euregion Meuse-Rhine

The police organisations in the Euregion each have their own policy and systems. This can make it more difficult for police officers to know who is the right person to contact. Not only structure, but also the differences in the communication systems complicate the police co-operation. It is not possible to communicate directly with each other. In addition, the Netherlands and Germany also work with different principles. The Netherlands works with the principle of opportunity and Germany with the principle of legality.

The funding from the EU was used to start projects. One of these projects was EMROD, in which several institutions worked together. The project was a success. All projects have the goal to improve the cross-border police co-operation.

Research showed that trust in the Dutch police organisation is not always on a high level. On the individual level however the trust level is high. There is not enough information present on the influence of the police reorganisation on the cross-border police co-operation. Therefore it is not possible to say something about the effects of the reorganisation.

7 Explaining The Differences

When comparing the EUREGIO with the Euregion Meuse-Rhine there are some differences visible. Although both Euregions have to work with the same legal agreements and treaties, and with the police reorganisation in the Netherlands, there are some big differences between the Euregions. The following research question refers to the differences and will give an explanation about these differences:

What explains the difference in scope and intensity of the police co-operation in the EUREGIO from the scope and intensity of the police co-operation in the Euregion Meuse-Rhine?

As explained in chapter 6, both Euregions cope with the same problems on institutional factors. It shows that the difficulties come from the differences between the police organisations and do not depend on the number of police organisations. Both Euregions have police organisations from the Netherlands and Germany. The only difference is that in the EUREGIO there are two Dutch police organisations and three German police organisations and in the Euregion there are two Dutch and two German police organisations.

Paragraph 6.2 explains that there are no differences in laws and agreements. The laws from the EU, CoE and the bilateral agreements apply on both Euregions. It only states that each Euregion uses the law in different ways. This also applies to the funding from the EU and also the way the Euregions work on the cross-border police co-operation could be an explanation. Each Euregion works on the cross-border police co-operation in their own way. Where the EUREGIO used law and funding to start the GPT, one of the most important components of the cross-border police co-operation, the Euregion Meuse-Rhine started several Euregional organisations and initiatives to improve the co-operation. This could be an explanation for the difference in scope between both Euregions.

When looking at the knowledge of the police officers on both sides of the border, the police organisation in both Euregions acknowledge that the knowledge on the legal agreements and the working methods of the other organisations are too low. The police organisations in both Euregions want to improve the knowledge by joint training or retraining. This way the police officers can improve their knowledge on the legal agreements and get to know the working methods of the other police organisations. This gives a better insight in what to expect from one another and what the possibilities of the cross-border police co-operation are. Both Euregions started projects to ensure that the police officers get to know each other. The level of knowledge influences the trust level, because when the police officers know what they can expect from the other, it will be easier to build trust. The police organisations in both Euregions know how important trust is in cross-border police co-operation. The projects improve the police co-operation, make it easier to contact each other and to ask for help. It improves the police co-operation because trust can be built and information can be exchanged. Considering that both Euregions organize projects to improve the cross-border police organisation and ensures that the police officers become acquainted, one would say that this does not explain differences. But therefore it is important to know what the level of knowledge and trust of the police officers is. Differences in the level of knowledge and trust can explain differences, because the intensity is influenced by the knowledge and trust of the participating parties. When the trust level is high the intensity will be higher, the participating parties know what to expect from each other. When the trust level is lower the intensity will be lower, because the participating parties do not exactly know what to expect from the other.

Another possible explanation could be that in the EUREGIO there are two countries who are working together and in the Euregion Meuse-Rhine there are three countries. This means that there are more police organisations who have influence on the police co-operations. At the beginning of this thesis it

is explained why only the police co-operation between the Netherlands and Germany is looked at. With the same participating parties, there was the expectation that it will be possible to explain the differences. After comparing the data from the EUREGIO and the Euregion Meuse-Rhine, it could be that the additional party in the Euregion Meuse-Rhine could influence the police co-operation.

There are a few possible explanations for the differences in the cross-border police co-operation. The first one is that each Euregion has its own way of working on the police co-operation. Where one Euregion uses several Euregional organisations, the other Euregion has a cross-border police team as an important component of the cross-border police co-operation. The second explanation is that the level of knowledge is insufficient. Both Euregions work on this problem by organizing meetings and training days. Then there are differences in the institutional factors. The Euregions cope with the same problems, but these problems could be an explanation for the differences. Another explanation could be that there is an additional party in the Euregion Meuse-Rhine. Furthermore, both Euregions acknowledge that not all possibilities of the police co-operation are used.

7.1 Hypotheses

In chapter 2, the theoretical framework is explained and hypotheses are made. The answers of the hypotheses will contribute to the possible explanations for the differences in the cross-border police co-operation.

Within the police co-operation in the Euregions there are several police organisations working together. Each police organisation has its own policy and regulation. This can have influence on the cross-border police co-operation. This is why the following hypothesis will be tested.

Hypothesis I:

Organisational differences between the police organisations make the police co-operation more difficult, especially in the EUREGIO where there are five police organisations in comparison to the four police organisations in the Euregion Meuse-Rhine.

When comparing the differences of the two Euregions, it shows that both Euregions are coping with the same problems and that these problems are not dependent on the number of police organisations. This makes the hypothesis partly true. The differences in the police organisations make the co-operation more difficult, but this is not being influenced by the number of organisations.

There are several agreements and treaties that influence the police co-operation in the Euregions. Therefore it is good to know if the agreements and treaties have influence on differences in the police co-operation in the Euregion. For this reason the following hypothesis will be tested.

Hypothesis II:

The legal agreements and treaties do not explain differences in cross-border police co-operation in both Euregions.

It can be said that legal agreements apply for both Euregions, that does not explain the differences between the Euregions in cross-border police co-operation. It only shows that each Euregion uses the agreements in its own way. This means that the hypothesis is true.

Funding from the EU can influence the cross-border police co-operation. With the funding both Euregions started projects with the goal to improve the police co-operation between the Netherlands and Germany. What the impact of the funding is, is tested by the following hypothesis.

Hypothesis III:

Programs, supported by subsidies, have a positive impact on the informal networks between police officers and makes the police co-operation in the EUREGIO and the Euregio Meuse-Rhine easier.

Both Euregions admit that the projects supported by subsidies from INTERREG have a positive impact and that they improve the cross-border police co-operation. Therefore it can be said that the hypothesis is true.

Not only institutional and political factors influence the police co-operation. Also social factors influence the police co-operation. The social factors that are measured in this research, are trust, knowledge and control. These three factors connect with each other and cannot function without each other. Therefore the following hypothesis will be tested.

Hypothesis IV:

The reorganisation of the Dutch police in 2012 caused distrust which had a negative influence on the network and made the cross-border police co-operation between the Dutch and German police more difficult in both Euregions.

Looking at the cross-border police co-operation in the EUREGIO, it can be said that there is a certain continuity. The coordinators stay on their positions for several years, trust is built and the networks are stable. The reorganisation did not cause distrust and did not really have influence on the police co-operation. Therefore the hypothesis is not true for the EUREGIO.

There is not much information available on the police co-operation in the Euregio Meuse-Rhine since the reorganisation started. There are some parties in the police co-operation who tell from experience that when the organisation structure goes through larger changes that it is possible that contacts disappear (Nelen, Peters & Vanderhallen, 2013). With the information from the documents and researches it is not possible to test the hypothesis, because there is not enough information present to say something about the influence of the reorganisation.

7.2 Main Research Question

In chapter two the theoretical framework is being explained and hypotheses are made. With the results of the hypotheses, the theoretical framework and the answers of the subquestions, it will be possible to answer the main research question:

To what extent differ the scope and intensity of the police co-operation in the EUREGIO from the scope and intensity of the police co-operation in the Euregio Meuse-Rhine and how can these differences be explained?

7.2.1 Scope & Intensity

The difference in scope is that in the Euregio Meuse-Rhine several Euregional organisations and workgroups are being used, whereas the EUREGIO uses workgroups and the GPT. The use of Euregional organisations is something that does not exist in the EUREGIO. It mainly uses the GPT for the daily cross-border police co-operation and information exchange. To improve and find solutions it uses workgroups, for example KODAG-North. In the Euregio Meuse-Rhine, the Euregional organisations BES and EPICC are used for improvement of the police co-operation, making crime policy and analysis, operational support and information exchange. The JHT and EOT are used for larger investigations and the NeBeDeAgPol for finding solutions and improving the police co-operation. This shows that the Euregions each have their own way of working on and improving the cross-border police co-operation. In addition, the Euregio Meuse-Rhine uses more organisations

and workgroups than the EUREGIO. Therefore, it can be said that the scope in the Euregions Meuse-Rhine is larger than in the EUREGIO.

When looking at the intensity of both Euregions, it shows that the police organisations in both Euregions have meetings on a regular basis. This can be meetings from workgroups, projects or initiatives which were started, but there are differences. In the EUREGIO, the KODAG-North workgroup meets four till six times a year to work on problems and if the circumstances acquires, they will have additional meetings. For the daily police co-operation the GPT is used. In the Euregion Meuse-Rhine, the workgroups of the NeBeDeAgPol meet on a monthly basis. Furthermore, BES and EPICC are used to improve police co-operation, making crime policy and analysis, operational support and information exchange. They are very important for the daily cross-border co-operation. Therefore it can be said that the intensity is higher in the Euregion Meuse-Rhine than in the EUREGIO. The workgroups and organisations in the Euregion Meuse-Rhine meet more often than the workgroups and the GPT in the EUREGIO.

7.2.2 Explanations

There are differences between the both Euregions on scope and intensity. As explained in the answer of the subquestion above, the institutional factors can give an explanation for the differences. This confirms the one of the findings in the research of Liedenbaum (2011), that the police system of the Dutch and German police are characterized by different concepts and that this leads to differences between the police organisations. This could be an explanation for differences in the police co-operation.

The laws and agreements do not explain the differences. The Euregions both have the same preconditions in terms of the laws and agreements. This is not as in the research of Otter (2001). He states that differences in law have a negative influence on the police co-operation. There are no differences in the laws and therefore this cannot explain differences in the cross-border police co-operation.

Both Euregions also organize projects to improve the cross-border police organisation and ensures that the police officers become acquainted. These projects are supported by the EU-funding. The Euregions have the same preconditions on getting the funding by the INTERREG program. There is no difference here either that could explain differences in the cross-border police co-operation.

The level of knowledge has influence on the trust between the police organisations. In the EUREGIO, the coordinators know each other and know what to expect. They can build trust in the networks and this will make the police co-operation easier. In the Euregion Meuse-Rhine, trust in the Dutch police organisation is not always on a high level. On the individual level, the trust level is good. The police officers know each other and use their informal networks to make the police co-operation easier. The importance of the interrelatedness of trust and knowledge is confirmed by Sydow and Windeler (2004). That the level of knowledge and trust can go both ways, depending on the behaviour of the participating parties. This can explain differences in the police co-operation between the Netherlands and Germany.

The explanations for the differences can be found in how the police organisations give meaning to the cross-border police co-operations in the Euregions, the level of knowledge that influence the trust between the participating parties, the differences in the institutional factors and that the Euregion Meuse-Rhine has an additional party.

8 Conclusion

Several factors are compared in this research to find an explanation for the differences in the police co-operation between the Netherlands and Germany in two Euregions. These factors are: institutional, political and social. To measure these factors, four hypotheses were tested. Next to the hypotheses, there are also five subquestions that are answered.

The structure and policy of the police organisations in both Euregions have been compared. In the EUREGIO there are five and in the Euregion Meuse-Rhine four police organisations. In chapter 6 is explained that the differences are between the police organisations and that it is not dependent on the number of police organisations.

In Europe, there are several agreements and treaties that influence the police co-operation. In addition, the Netherlands and Germany also made some bilateral agreements. For both Euregions the influence has been examined. It showed that both Euregions have the same preconditions and that this does not explain differences in the police co-operation. But it also showed that the Euregions each have their own way of working on and improving the cross-border police co-operation.

Both Euregions use EU-funding for projects to improve the police co-operation. As shown in paragraph 6.2, the projects have a positive influence on the police co-operation. This is stated by the police organisations in both Euregions.

From the social factors can be said that the police organisations in both Euregions state that the knowledge level is too low and this must be improved. And the trust in the police co-operation is influenced by the knowledge level. It also showed that in the EUREGIO the reorganisation of the Dutch police did not really have influence, this was stated by the members of the police who were interviewed. Unfortunately there is not enough information available from the Euregion Meuse-Rhine on the reorganisation.

In chapter 7, it shows that it is possible that Belgium has influence on the police co-operation in the Euregion Meuse-Rhine. This could be an explanation for the differences. Belgium was excluded in this research and this needs further research to become more certain of the influence of Belgium on the police co-operation.

In conclusion, it can be said that there are some possible explanations for the differences in the cross-border police co-operation. These explanations are that each Euregion works in its own way on the cross-border police co-operation, differences in the institutional factors, the level of knowledge and that the Euregion Meuse-Rhine has three countries working together. In addition, it can be said that the scope and the intensity in the Euregion Meuse-Rhine is larger than in the EUREGIO, because the Euregion Meuse-Rhine uses Euregional organisations and they meet more often. The EUREGIO does not use any organisations for the police co-operation and the workgroups do not meet as often as in the Euregion Meuse-Rhine. The influence of these explanations and further factors need to be researched to be certain which factor has what kind of influence on the cross-border police co-operation.

9 Recommendations

In the theoretical framework it is stated that knowledge, trust and control are important for co-operation. The results show that the police organisations are not satisfied about the level of knowledge. The level of knowledge is not measured in this research. To be able to give a statement on the level of knowledge and the influence, research has to be done.

In the Euregion Meuse-Rhine there are three countries working together. It is possible that Belgium could have influence on the cross-border police co-operation between the Netherlands and Germany that could explain the differences. Belgium was excluded in this research. To be certain of the influence there has to be research done.

In literature, several factors are mentioned that could have influence on the cross-border police co-operation. For this research only the institutional, political and social factors were looked at. Other factors that were mentioned in literature are language and culture. Not only in literature, but also several interviewees told that there is the possibility that English will be the language to communicate between the counties. Therefore it is recommended to look at language and culture and what their influence on the cross-border police co-operation between the Netherlands and Germany is.

10 Discussion

It is rather difficult to compare the two Euregions because the way they organize the police co-operation is very different. The EUREGIO uses especially the GPT for the cross-border police co-operation while the Euregion Meuse Rhine uses different Euregional organisations. This was not expected because both Euregions have the goal, to improve the cross-border police co-operation, but the police organisations in both Euregions have a completely different working method for the police co-operations.

Furthermore, the decision was made to compare only the police co-operation between the Netherlands and Germany. The expectation was that it would be possible to find explanations for the differences in the police co-operation between the Netherlands and Germany. When looking at the results, it is possible that Belgium has influence on the police co-operation between the Netherlands and Germany in the Euregion Meuse-Rhine. It was not expected that it is possible that Belgium has such an influence on the police co-operation between the Netherlands and Germany that it could explain differences between the police co-operation of the two countries in the two Euregions. To be able to say something about the influence of Belgium, there has to be research done on this topic.

The data collection was not always that easy, especially on information about the police co-operation in the EUREGIO. The EUREGIO does not give much information on workgroups or the police co-operation. Also other information about the police co-operation in this Euregion was not always easy to find on the internet, for example information on the INTERREG-projects. For information on the police co-operation, there are many researches, documents and websites available. This made the data collection on the police co-operation in the Euregion Meuse-Rhine much easier in comparison to the EUREGIO. Except the information on the reorganisation which was not available yet.

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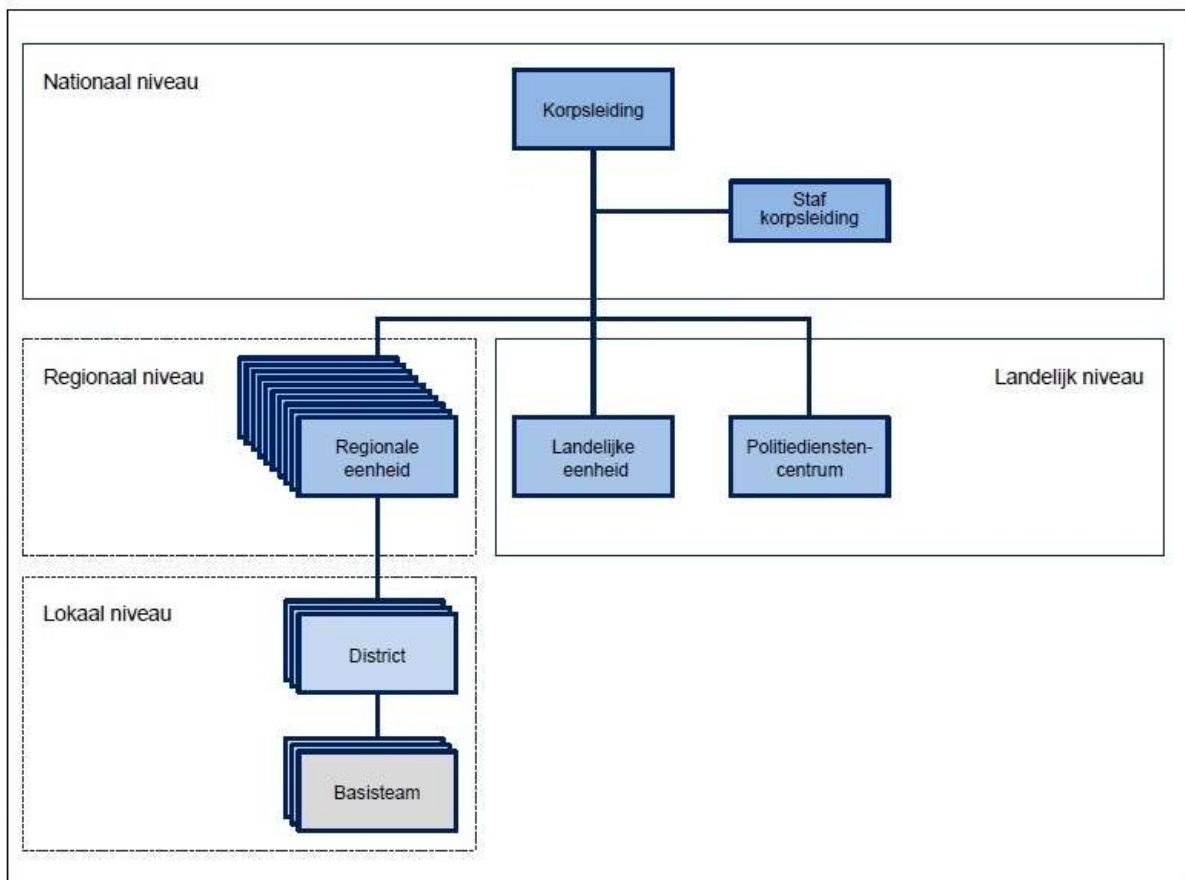
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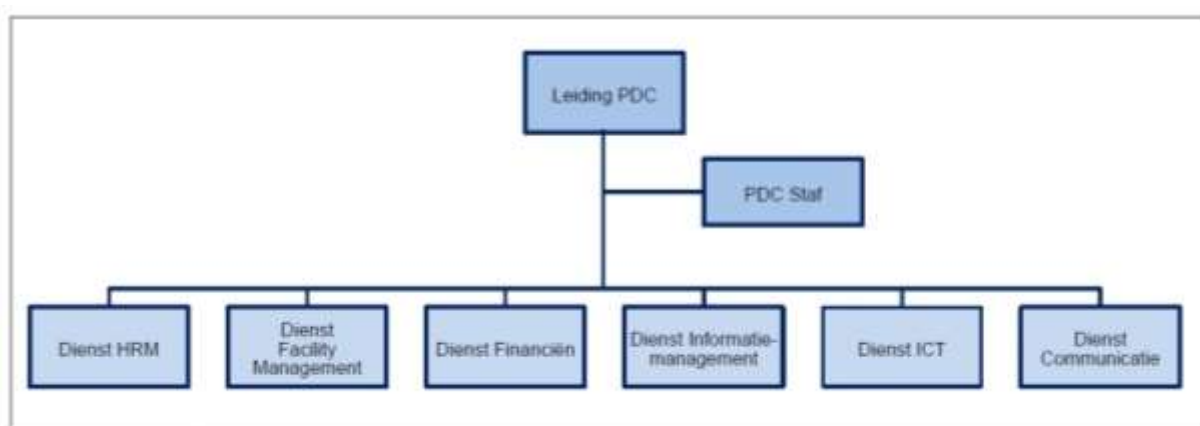
Appendix I: Organigram Dutch Police

I-1 Organigram National Police



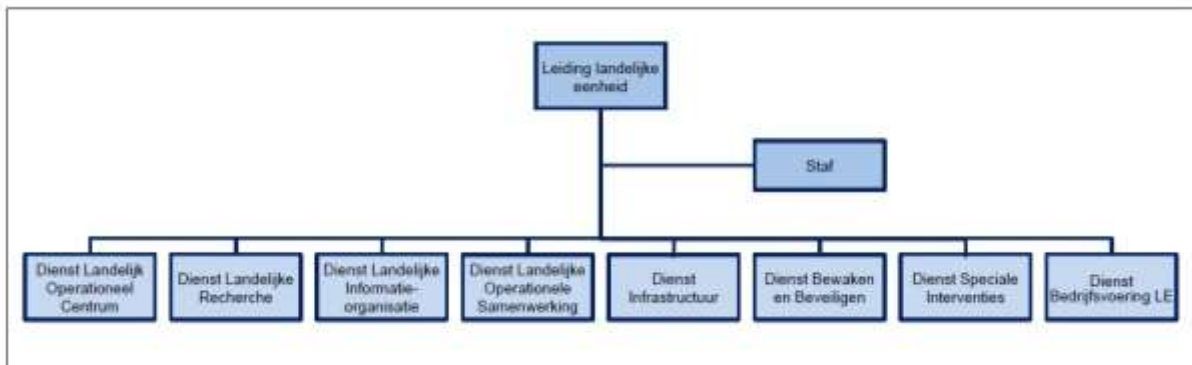
Source: Inrichtingsplan Nationale Politie (2012), versie 3.0, p.10.

I-2 Organigram Police Services Centre



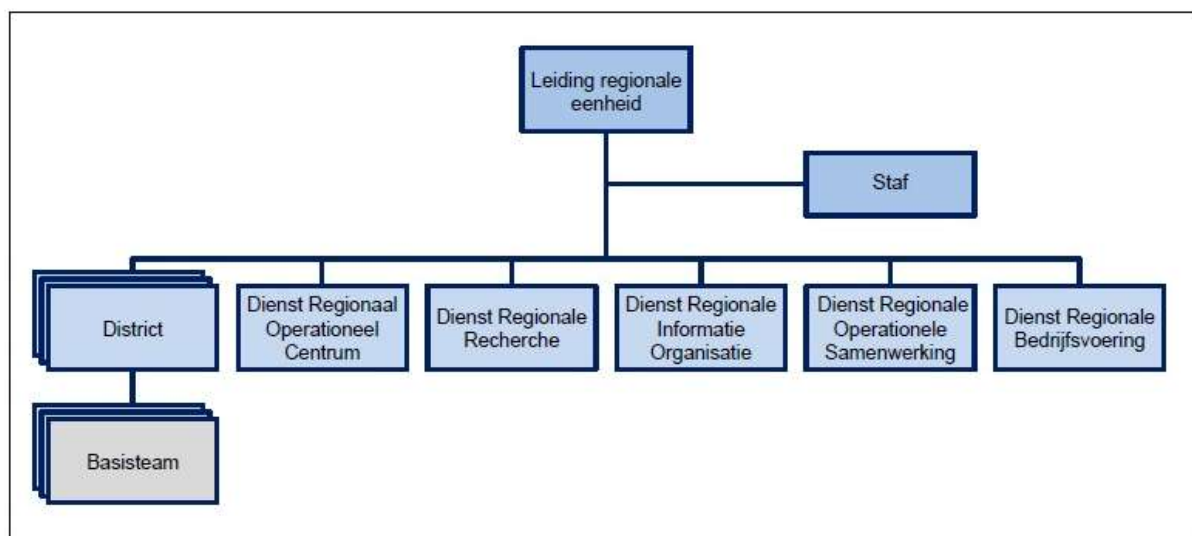
Source: Inrichtingsplan Nationale Politie (2012), versie 3.0, p.16.

I-3 Organigram National Unit



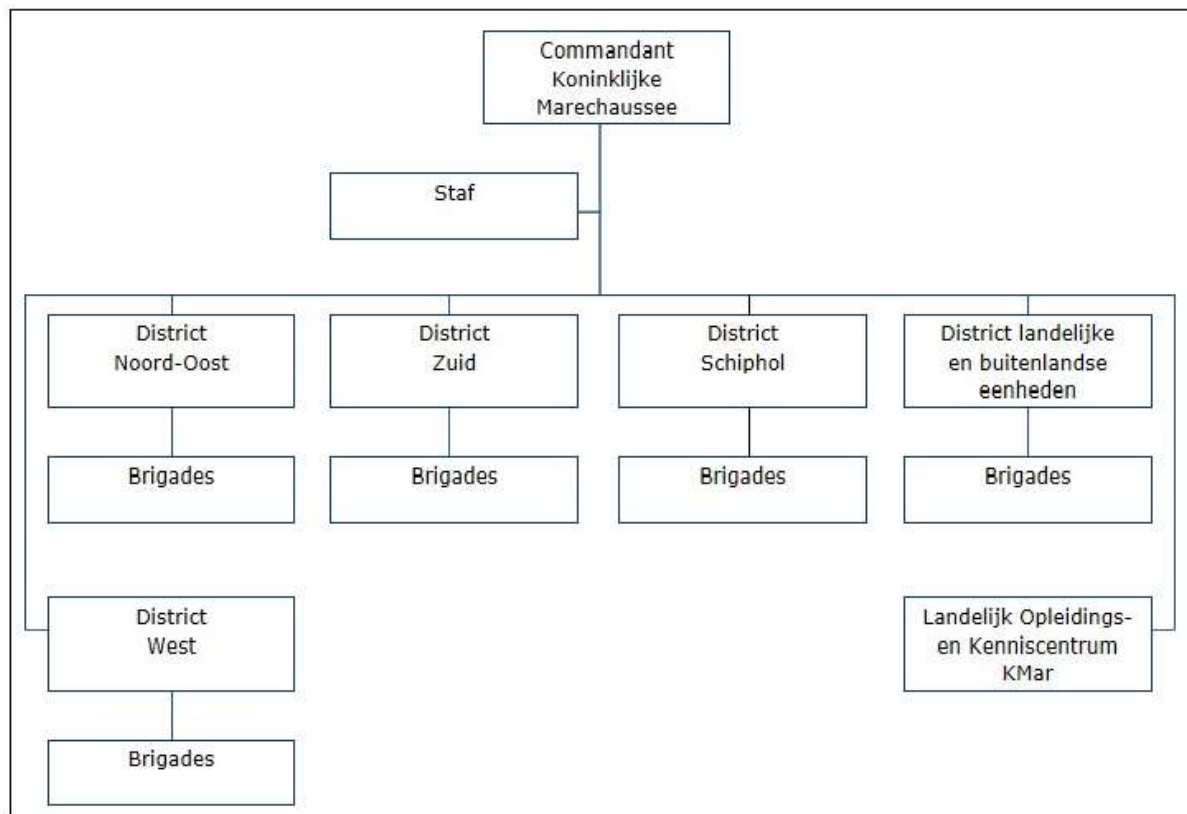
Source: Inrichtingsplan Nationale Politie (2012), versie 3.0, p.15.

I-4 Organigram Regional Unit



Source: Inrichtingsplan Nationale Politie (2012), versie 3.0, p.12.

I-5 Organigram Royal Netherlands Marechaussee



Source: Koninklijke Marechaussee (n.d.). Retrieved August 27th, 2013 from <http://www.defensie.nl/organisatie/marechaussee/inhoud/organisatiestructuur>.

II-1 Organigram Federal Police



II-2 Organigram Police Lower Saxony

(Stand: 05/2013)



Source: Polizei Niedersachsen (n.d.). Retrieved August 12th, 2013 from http://www.polizei.niedersachsen.de/wir_ueber_uns/organisation/die-polizei-niedersachsen-1394.html.

Appendix III: Interview Questions - Dutch

Politieorganisatie

1. In de euregio werken de verschillende politieorganisaties samen om criminaliteit tegen te gaan en misdaden op te lossen. Kunt u aangeven hoe vaak er overleg plaats vindt tussen de verschillende politieorganisaties?
2. Is er bij ieder overleg van iedere politieorganisatie iemand aanwezig?
- Zo nee, op welke wijze worden de overige politieorganisaties op de hoogte gehouden van afspraken en uitkomsten van het overleg?
3. Op welke wijze wordt de EUREGIO op de hoogte gehouden van de politieke samenwerking?
4. Is de politieke samenwerking binnen de euregio effectief?
- Waaruit blijkt dat?
5. In de EUREGIO werken de politieorganisaties uit Nederland, Noordrijn-Westfalen en Nedersaksen samen. Hierdoor werken politieorganisaties met elkaar samen die verschillen in structuur en beleid. Merkt u dat er problemen zijn door verschillen in structuur en beleid van de deelnemende politieorganisaties?
- Zo ja, welke problemen?
6. In het strategiepapier EUREGIO2020 wordt gesproken over meerdere werkgroepen. Kunt u aangeven of er Euregionale werkgroepen zijn die de politieke samenwerking in de EUREGIO stimuleren?
- Zo ja, welke werkgroepen zijn dit?
7. In de literatuur wordt aangegeven dat er veel gebruik wordt gemaakt van informele netwerken tussen politiemensen van verschillende politieorganisaties. Kunt u aangeven op welke manier de opbouw van netwerken wordt gestimuleerd?
8. Kunt u aangeven op welke manier deze netwerken worden opgebouwd?

Wettelijke regelingen en overeenkomsten

9. Op welke wijze merkt u dat wettelijke regelingen invloed hebben op de politieke samenwerking?
10. Wat vindt u van de wettelijke overeenkomsten die de politieke samenwerking reguleren?
11. Kunt u aangeven welke problemen u ondervindt bij de implementatie van de wettelijke regelingen en overeenkomsten?

Projecten in de EUREGIO

12. Binnen de euregio worden projecten georganiseerd om de politieke samenwerking te verbeteren. Welke projecten zijn dit?
13. Dragen deze projecten volgens u bij aan de verbetering van de politieke samenwerking?
- Zo ja, op welke manier dragen deze projecten bij aan de verbetering van deze samenwerking?
14. Wat is uw mening over het Grensoverschrijdende Politie Team?

Reorganisatie en informatie-uitwisseling

15. In 2012 heeft er een grote reorganisatie plaatsgevonden bij de Nederlandse politie. Wat is volgens u de invloed van de politiereorganisatie op de samenwerking in de euregio?
16. Wat vindt u van de informatie-uitwisseling binnen de politieke samenwerking?
17. In de Euregio Maas-Rijn is er een software programma voor de informatie-uitwisseling in de Euregio. Kunt u aangeven of er in de EUREGIO een soort gelijk programma bestaat voor de informatie-uitwisseling?
18. Wat zijn volgens u de sterke punten in de politieke samenwerking in de euregio?
19. Wat zijn volgens u de zwakke punten in de politieke samenwerking in de euregio?
20. Heeft u suggesties voor het verbeteren van de samenwerking?

Appendix IV: Interview Questions - German

Polizeiorganisation

1. In der Euregio arbeiten verschiedene Polizeiorganisationen zusammen für die Kriminalitätsbekämpfung und um Verbrechen aufzuklären. Können Sie sagen wie oft Besprechungen gehalten werden zwischen den verschiedenen Polizeiorganisationen?
2. Ist bei diesen Besprechungen immer von jeder Polizeiorganisation jemandem dabei?
 - Wenn nicht, auf welche Weise werden die übrigen Polizeiorganisationen auf den laufenden gehalten über Absprachen die gemacht wurden?
3. Auf welche Weise wird die EUREGIO auf dem Laufenden gehalten van der polizeilichen Zusammenarbeit?
4. Ist die polizeilichen Zusammenarbeit in die Euregio effektiv?
 - Woraus ergibt sich das?
5. In der EUREGIO arbeiten die Polizeiorganisationen aus den Niederlanden, Nordrhein-Westfalen und Niedersachsen zusammen. Hierdurch arbeiten Polizeiorganisationen zusammen die sich unterscheiden in Struktur und Politik. Bemerken Sie dass es Probleme gibt die durch die Unterschiede in Struktur und Politik von den teilnehmende Polizeiorganisationen verursacht werden?
 - Wenn ja, welche Probleme sind das?
6. In dem Strategiepapier EUREGIO2020 wird über mehrere Arbeitsgruppen gesprochen. Können Sie sagen ob es Euregionale Arbeitsgruppen gibt die die polizeiliche Zusammenarbeit in der EUREGIO fördern?
 - Wenn ja, welche Arbeitsgruppen wären das?
7. Die Literatur zeigt, dass informellen Netzwerken unter Polizeibeamte aus den verschiedenen Polizeiorganisationen viel verwendet werden. Können Sie sagen wie die informellen Netzwerken gefördert werden?
8. Können Sie angeben, wie die Netzwerke zustande kommen?

Gesetzliche Regelungen und Vereinbarungen

9. Auf welche Weise merken Sie dass die gesetzlichen Regelungen Einfluss haben auf die polizeiliche Zusammenarbeit?
10. Was halten Sie von den gesetzlichen Vereinbarungen die die polizeiliche Zusammenarbeit regeln?
11. Können Sie angeben welche Probleme Sie erfahren bei der Umsetzung von den gesetzlichen Regelungen und Vereinbarungen?

Förderungen in der Euregio

12. In der Euregio werden Projekte organisiert um die polizeiliche Zusammenarbeit zu fördern. Welche Projekte sind dies?
13. Glauben Sie dass diese Projekte beitragen an der Verbesserung von der polizeilichen Zusammenarbeit?
 - Wenn ja, auf welche Weise tragen die Projekte bei an der Verbesserung von der polizeilichen Zusammenarbeit?
14. Wie ist Ihrer Meinung zu dem Grenzüberschreitendes Polizei Team?

Umstrukturierung und Informationsaustausch

15. Im Jahr 2012 erfolgte eine grundlegende Umstrukturierung in der Niederländischen Polizei. Was glauben Sie, sind die Auswirkungen von der Umstrukturierung auf die polizeiliche Zusammenarbeit in der Euregio?
16. Was halten Sie von dem Austausch von Informationen innerhalb der Polizeizusammenarbeit?

17. In der Euregion Maas-Rhein gibt es ein Software-Programm für den Austausch von Informationen in der Euroregion. Können Sie sagen ob es eine ähnliche Art von Programm für den Austausch von Informationen in der EUREGIO gibt?
18. Was denken Sie, sind die Stärken der polizeilichen Zusammenarbeit in der Euroregion?
19. Was denken Sie, sind die Schwächen der polizeilichen Zusammenarbeit in der Euregion?
20. Haben Sie Vorschläge zur Verbesserung der Zusammenarbeit?