

## **Joint declaration – Government Consultations Netherlands - Germany 27 March 2023**

Based on the strong friendship between our citizens and countries and in view of Russia's war of aggression against Ukraine and its repercussion on our countries and our continent, the fourth government consultations since 2013 were focussed on our cooperation in security and defence, our joint work towards a stronger Europe and our aim to advance our vibrant economies and societies.

### **Partners in Security and Defence**

The Netherlands and Germany reaffirm their strong support for Ukraine's independence, territorial integrity and sovereignty. Both countries stand in solidarity with the Ukrainian people against the continued illegal and unprovoked Russian aggression. We continue working together to achieve a just and lasting peace and a prosperous future for Ukraine by providing sustainable financial and humanitarian aid as well as military equipment and sufficient training in order to enable Ukraine to defend itself. The Netherlands and Germany are committed to maintaining and where possible increasing the pressure on Russia to stop the war, including through further restrictive measures. Countering sanctions circumvention is a key priority to tackle at European level, including effective data sharing and analysis, engagement with the private sector, diplomatic outreach and additional sanctions.

The Netherlands and Germany reaffirm their strong commitment towards ensuring accountability in accordance with international law for crimes and other atrocities committed on the territory of Ukraine through appropriate, fair and independent investigations and prosecutions at the national or international levels. Impunity is not an option.

The Netherlands and Germany reaffirm their strong support for the International Criminal Court investigations and welcome the establishment of the International Centre for the Prosecution of the Crime of Aggression. They call for implementing the UN General Assembly resolution recommending the establishment of a register to document damages caused by the aggression of the Russian Federation against Ukraine.

The Netherlands and Germany underline their joint commitment to countering the abduction of Ukrainian children to the Russian Federation and to territories of Ukraine under Russian occupation and recall that targeted attacks against innocent civilians, in particular children constitute war crimes. Together we seek international action to increase international awareness and improve data collection. This is in line with Ukraine's wish to build up clear reporting of the situation of the missing children, preferably mandated by an international organization.

The Netherlands and Germany reiterate their commitment to the reconstruction of Ukraine. In addition to contributing to the physical reconstruction of Ukraine, the Netherlands and Germany envision a broad process in the spirit of Building Back Better and in view of Ukraine's path to EU-accession.

Germany and the Netherlands will continue identifying possible synergies to enhance their combined military support to Ukraine. Measures such as the joint provision of self-propelled howitzers and the corresponding training of personnel, as well as the coordinated joint support of the EU-Training-Mission EUMAM Ukraine are a testimony of our determination to deliver

sustainable support to Ukraine. Germany and the Netherlands will also explore possibilities for the collaborative procurement of ammunition for Ukraine.

The Russian invasion of Ukraine once again underlines the importance of NATO and a close Transatlantic relationship. We highly value the necessary steps taken by NATO on the front of collective deterrence and defence in reaction to the Russian invasion of Ukraine. The Netherlands and Germany underline their strong commitment to NATO as the backbone of our collective security. We will continue to support NATO's political and military adaptations, necessary to meet the challenges of a more unpredictable and competitive world. We continue to value NATO's unique role as essential and indispensable transatlantic forum to consult, coordinate and act on all matters related to Allies' security. We regard a strong and united NATO, standing shoulder to shoulder with the EU as essential for our security, now and in the future.

The Netherlands and Germany remain committed to a more capable Europe of Defence, thus also strengthening the European pillar in NATO. In this spirit, we want to further strengthen our common position in the EU's Common Security and Defence Policy to promote the implementation of the Strategic Compass, the further development of the EU Command and Control (EU C2) structure and we will work together in the first rotation of the new EU Rapid Deployment Capacity in 2025. We will also coordinate our positions when it comes to new EU strategic processes such as the EU Space Strategy for Security and Defence (EU SSSD), the EU Maritime Security Strategy (EU MSS) and the Coordinated Maritime Presence (CMP). We also strive for the full implementation of the PESCO commitments and making more synergies available between interdependent projects, e.g. in the fields of Military Mobility, and Network of Logistic Hubs in Europe and Support to Operations (NetLogHubs).

The Netherlands and Germany continue to work together to strengthen EU-NATO cooperation. It is essential that NATO and EU jointly tackle common threats and challenges, to foster synergies, aim for complementarity, avoid unnecessary duplication and make best use of each other's individual strengths. This will benefit NATO and the EU, as well as Allies and Member States, equally and irrespectively of whether they are members of NATO, the EU, or both organisations.

Based on the Letter of Intent signed in October 2022, the Netherlands and Germany reaffirm their intention to enhance their common security by fostering NATO's air and missile defence capabilities in Europe through the European Sky Shield Initiative (ESSI) with the aim to strengthen the European pillar in NATO's Integrated Air and Missile Defence.

The Netherlands and Germany strive to further intensify their longstanding close and unique defence. To this aim we will renew the ministerial Declaration of Intent on the further Enhancement of Bilateral Relations in the Field of Security and Defence of 2019. The forthcoming integration of the Dutch 13 Light Brigade into the 10 German Armoured Division will mark a new milestone in our cooperation.

We will continue in our engagement for peace and stability and our successful cooperation in missions mandated by the United Nations, NATO and the EU. We also intend to further intensify defence industry cooperation, both bilaterally as well as through the European Defence Fund, recommitting ourselves to the "Joint Statement" 2021 and continue to strive for joint capability planning, capability development, and procurement for our armed forces. Furthermore, we continue to strive for further harmonisation in export control policies in the EU.

## **A stronger Europe**

The Netherlands and Germany reaffirm their commitment to defend and promote the fundamental values and interests of the European Union. Reinforcing and protecting the Rule of Law and our democracy is a priority as well as respect for human rights, including sexual and reproductive health and rights, equal rights for LGBTQI+ persons and gender equality all over the world, in this respect we also continue to jointly promote a Feminist Foreign Policy. We support and encourage the European Commission in its full and effective use of all Rule of Law instruments. And we acknowledge the benefits of thirty years of the European Single Market which we are committed to further strengthen as well as the free movement of persons in the Schengen area producing tangible results for our citizens. We welcome the full application of Schengen to those Member States who want to join and who fulfil the necessary criteria. Moreover, we actively engage with third countries including with global partners, also in the Indo Pacific, to promote and protect the international legal order.

We agree that strengthening the open strategic autonomy of the European Union is necessary to cope with current challenges and priorities, but also with future issues, especially in those areas where joint answers under changing geopolitical circumstances are needed, such as increasing the European Union's economic competitiveness and resilience and ensuring its economic security, including through finding common strategies to face shared geo-economic challenges while ensuring sustainable and prudent fiscal policy, making best use of existing means. Germany and the Netherlands are acting together to achieve these goals and aim for a modern EU budget. With regard to the Stability and Growth Pact our countries are committed to aim for an effective economic governance framework based on transparency, predictability and equal treatment that safeguards debt sustainability, strengthens economic growth, investments in the green and digital transition and enhances compliance and enforcement.

To further strengthen the EU as a geopolitical actor, both the Netherlands and Germany together with our partners are committed to strengthen decision-making in areas of Common Foreign and Security Policy, including through the extension of qualified majority voting in areas such as sanctions, human rights declarations, and civilian Common Security and Defence Policy. We will continue to look at how to achieve more effective decision making in the Council and jointly explore the possibilities of using passerelle clauses and also encourage the use of constructive abstention.

The Netherlands and Germany reaffirm that free, rule-based and sustainable trade is indispensable for our prosperity and strengthens the competitiveness of the economy. Therefore, an ambitious trade policy and bilateral trade agreements with partners around the world are elementary for the diversification of our value chains and for the market access of our companies. The WTO remains the essential organisation of a rules-based trading system.

We will work together to make the European perspective of the Western Balkans countries a reality. At the core of the accession process needs to be progress on rule of law reforms. The Netherlands and Germany will also continue supporting strongly all efforts to improve good-neighbourly relations in the region, in particular putting the relationship between Serbia and Kosovo on a new and sustainable basis.

We will continue to make use of the newly established European Political Community as an important forum for Europe-wide exchange and cooperation of the EU Member States with other European partners.

Both countries face a problem with combating transnational organised crime. Currently, the fight against cross-border smuggling of drugs by organised crime groups via logistical hubs as well as via postal and parcel services are particular focal points. In addition, the combat of all phenomena of transnational organised crime are of special importance of both countries. We commit to fight and prevent organised crime and to join forces against this phenomenon, for example through the action plan of the coalition of European countries against organised crime. Furthermore, we focus on tackling illicit financial flows and money laundering by improving the detection, confiscation and deprivation of criminal assets. In order to make full use of the instruments at the EU's disposal, we also advocate for involving the European Commission and its agencies and bodies, while taking account their legally determined mandate.

On migration the Netherlands and Germany are committed to cooperate on irregular migratory movements in accordance with the European Council conclusions of 9 February 2023 and the Dublin Regulation. Our countries will intensify cooperation on comprehensive partnerships with third countries to limit irregular migration and to foster return. In addition, it is of importance that efforts should be made to enhance control over the external borders, by improving early warning systems and aiming for visa alignment of EU neighbouring third countries. Furthermore, the Netherlands and Germany support the Roadmap regarding the adoption of the Pact on Migration and Asylum still in this legislative term of the EP, while striving for a balance between responsibility and solidarity.

We are also committed to continuing and strengthening our collaboration on combatting precarious working and living conditions of migrant workers in our border regions. Abuse and exploitation of migrant workers is unacceptable. We need to ensure that migrant workers are treated decently as part of our societies, in accordance with our respective laws. Furthermore, we strive to enable migrants to improve the (language) skills necessary to further their labour market potential and integration.

### **An Innovative and Future Proof Economy and Infrastructure**

The Netherlands and Germany stand for a resilient and future-proof European economy. Therefore, our governments will play a proactive, constructive and leading role in the EU by working with other member states and international partners.

The Netherlands and Germany attach great importance to strengthening the EU's technological sovereignty and leadership, and the EU's industrial competitiveness. To that end, we agreed to cooperate on the Net-Zero Industry Act to promote the scale-up and reduction of red-tape for clean technologies, to further streamline, speed up and facilitate IPCEIs, to continue to strengthen the internal market, and to facilitate permitting for green energy projects. Furthermore, we agreed to cooperate on the Critical Raw Materials Act to improve raw materials' monitoring and knowledge-sharing, to accelerate the development of strategic mining, refining and recycling projects in the EU, and to diversify strategic supply chain dependencies.

The Netherlands and Germany reiterated their continued support for joint collaboration in the Dutch-German Innovation & Technology Pact on themes of mutual interest, notably energy transition, smart industry, and key enabling technologies. New areas for collaboration will be

investigated, including in the field of sustainable aviation, battery and solar technology. The collaboration on quantum technology should be strengthened.

Our countries will also further cooperate on the digital economy. In particular, we will work together on EU connectivity to ensure an evidence-based discussion on the issue of network fees, focusing on a clear, fact-based problem definition first before any instruments can be considered. We also call on the Commission to develop secure and open EU cloud certification schemes fit for the international context, without creating trade barriers and considerable adverse impact on European SMEs. Our countries underlined the importance of public values and digitalization, as well as finding solutions to create a safe and inclusive digital society.

EU businesses must invest on an unprecedented level for the success of our transition to a green and digital economy. Enabling them to raise the necessary funding from private sources is paramount to foster European competitiveness, open autonomy and sustained growth.

The Netherlands and Germany are committed to building a deep and fully functioning Capital Markets Union that serves our citizens and businesses and fosters the private investment necessary to address the challenges of the green and digital transitions. We believe that Europe's capital markets remain below their full potential and that a stronger and more integrated EU capital market is vital. Besides our efforts to implement the 2020 CMU Action Plan and contribute to swift progress on current proposals, we will cooperate to ease capital market access for businesses, including start-and scale-ups, and mobilize new investment from institutional and private investors. To this end, we will also strive to find joint solutions that improve the European exit market for Scale-ups.

With the recent German-Dutch Climate Consultations (October 2022) in mind, we reaffirmed the close cooperation on EU climate and energy policy, including within the EU Group of Friends for an Ambitious Climate Foreign Policy, and will continue our efforts in ensuring a swift and ambitious implementation of the Fit-for-55-package and REPowerEU and in setting the EU on track to climate neutrality by 2050 at the latest.

In the run up to COP28, we agreed to work together with the objective to raise climate ambitions worldwide, such as through the Climate Club. We reaffirm our commitment to align international public support towards the clean energy transition and phase out of fossil fuels in line with a 1.5 °C warming limit. We will work together to ensure implementation in both countries.

The Netherlands and Germany will work together on EU electricity market design that should make the system fitter for a decarbonized, resilient, flexible and affordable energy system based on high shares of renewables.

We emphasized the importance of the extra LNG supply capacity realized the past year and the current high gas storage levels in the Netherlands and Germany. We will continue our close cooperation regarding the security of gas supply, both bilaterally and at EU-level.

We agreed on the next steps for the participation of the Netherlands in the H2Global initiative and will develop a common vision on hydrogen import policies as well as a joint roadmap along the value chain. We have agreed to cooperate more closely towards a synchronized coupling of our hydrogen grids with the involvement of transmission system operators and large prospective hydrogen off takers. Political decision-makers from both sides will strive to enable and deepen the ongoing

cooperation efforts. Key areas for dialogue have been identified in a joint session on hydrogen infrastructure. A follow-up meeting at the end of 2023 will serve to take stock of the progress made and to discuss the way forward. We emphasized the relevance of a well interconnected infrastructure between both countries for the decarbonisation of the industry and mobility sector. We will jointly facilitate all projects aimed at establishing cross-border hydrogen corridors including the Delta Rhine Corridor and identify necessary steps to come to an ambitious implementation. The first two interconnections could be realized by 2027.

In view of the commitment made in the Esbjerg declaration for the acceleration of the rollout of offshore wind, we will jointly develop a regional vision for the necessary offshore grid development including hybrid interconnection projects. We will also jointly explore the multifunctional use of fairways for both shipping as well as energy infrastructure in the Wadden Sea. We will continue our cooperation for a re-routing of shipping routes in order to secure potential areas for offshore wind energy.

The Netherlands and Germany reaffirm their desire for integral cooperation in the North Sea, to support the ambitions of the energy transition, nature conservation and restoration efforts and to enable other sustainable uses or measures in the North Sea.

Our two governments are – together with TenneT – in the process of exploring and negotiating a potential full sale/acquisition of TenneT Germany (onshore and offshore), aimed at creating strong mutually independent national transmissions systems operators (TSOs) well-equipped to meet the ambitious goals for the Dutch and German energy transition, respectively. The joint objective is to establish in the course of this summer whether a mutually beneficial agreement can be reached. The Netherlands and Germany recognize that, to achieve these goals, it is of great importance that a potential transaction safeguards the continued cooperation between the TSOs. The Dutch and German governments commit to supporting the cooperation between the TSOs and to further strengthening their ability to meet the challenging demands of the energy transition.

Germany and the Netherlands share a long common border and want to further improve and, where necessary, expand cross-border infrastructure. As part of the so-called intermodal dialogue, workshops are being held jointly with Belgium, on transport planning methodology as well as possible projects with a cross-border impact on rail and waterways. This could also include infrastructure capacity improvements relevant for strategic mobility. For the further process, it will be examined whether further studies on potential projects should be started. Regarding rail an exchange of information on several important rail connections like Groningen-Bremen (cf. extension Lelylijn) and Amsterdam-Berlin, Eindhoven-Venlo-Düsseldorf, the Rhein-Ruhr Rail Connection (3RX) and the North Sea Baltic freight corridor could be considered.

To safeguard the role of aviation in a sustainable future and to enhance its transitions, both countries have agreed to step up cooperation and take part in a European frontrunner group with a number of like-minded countries. This group will develop strategies and politics with regard to the ramping up of the production and the further incentivization of the use of sustainable aviation fuels as well as to supporting disruptive innovations in the aerospace industry. We are cooperating closely in the field of aviation security technology. A cooperation agreement for research and development projects was signed in 2013 and extended in 2020. Aviation security checks are facing enormous technology-driven changes. The introduction of automatic cabin baggage screening systems could significantly increase the security of these checks and reduce

personnel costs at the same time. We are driving forward the necessary changes in EU legislation and are conducting joint studies and trials. The Netherlands and Germany will exchange knowledge and facilitate cooperation in the field of digitization and automated navigation/autonomous driving. Furthermore, knowledge will be exchanged on cross-border use cases in the field digitization of freight transport, logistics and mobility. To this end, a roundtable with experts from both countries will take place before summer 2023.

Germany and the Netherlands will further intensify cooperation in the field of national implementation plans on charging infrastructure. The Netherlands will host exchanges on: 1) heavy duty transport charging infrastructure (including hydrogen); and 2) charging infrastructure for passenger cars. Both countries welcome further cooperation on facilitating charging of zero-emission heavy-duty transport on a cross-border route, such as a feasibility study on the deployment of cross-border dynamic charging infrastructure.

The Netherlands and Germany agree that further cooperation in the Central Commission for Navigation of the Rhine is paramount, in order to ensure efficient, sustainable and resilient navigation on the Rhine, also in the future. Furthermore, our countries will continue and intensify the cooperation especially on climate adaptation and mitigation efforts. Beyond that, we will continue and intensify our cooperation on water management and the exchange of knowledge to address the risks of droughts, floods and pollution. To this end, Germany and the Netherlands underline the importance of the cooperation of the CCNR and the ICPR, where together with actors from different sectors, measures are discussed.

### **Bilateral Relations for a Liveable Society**

The Netherlands and Germany reconfirm and intend to strengthen their dialogue structures. Our triannual government consultation mechanism serves as the main coordination platform for our relationship. In addition, there is a range of intense bilateral ministerial contacts and more ad hoc thematic consultations on a political level, like joint cabinet meetings on climate and energy.

Our relationship is maintained and strengthened not only between governments but also between our peoples, involving a wide range of economic, cultural and civil society actors.

With regard to many areas we remain key reference countries of each other. The Netherlands and Germany will evaluate existing dialogue structures and jointly create a platform to informally exchange views and develop concrete Dutch-German initiatives. It is our intention to reinvigorate consultations between stakeholders from businesses and academic field in a periodic bilateral Dutch-German Forum to discuss the most pressing and current challenges our countries face.

In addition, the Netherlands and Germany would like to initiate a consultation instrument for youth. A first youth dialogue will be organised before our next consultations, resulting among others in youth participation during part of the official consultations. The Foreign Ministries will also initiate a “Joint Dutch-German Diplomatic Training Programme” to create more synergy and closer cooperation between our Foreign Services.

The Netherlands and Germany are committed to strengthening cooperation and to further facilitate cross-border work so that all can reap the benefits offered by our border region. We are determined

to address challenges that inhabitants of the border regions and cross-border workers face, for instance with regards to social security and taxation

The Netherlands and Germany will intensify the exchange of knowledge and experiences to facilitate an inclusive, accessible and sustainable cultural sector. Both countries underline the importance of the 25<sup>th</sup> anniversary of the Washington Principles and are strongly committed to intensify their efforts in resolving issues relating to Nazi-confiscated art. Our countries will establish close cooperation to address the legacy of colonial heritage e.g. on the issue of provenance research, and in projects such as the MuseumsLab.

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