



Provinciale Staten

Clustercode	MOB	Uw kenmerk	-
Ons kenmerk	DOC-00979156	Maastricht	29 september 2026
Bijlage(n)	1	Verzonden	29 september 2026

Onderwerp

Mededeling portefeuillehouder inzake Sociale Veiligheid Moties 3239, 3249, 3256, 3264, 3327

Geachte Staten,

Middels deze mededeling portefeuillehouder informeren wij u over de voortgang van de vijf moties met betrekking tot sociale veiligheid:

- Gewijzigde Motie 3249 Berghorst c.s. inzake Ruimte voor veiligheidsbeleving vrouwen en kwetsbare groepen in Limburg;
- Motie 3256 Hoks c.s. inzake Lach eens naar het vogeltje;
- Gewijzigde Motie 3264 Bloi c.s. inzake Veilige en betrouwbare grensoverschrijdende spoorverbindingen;
- 2e Gewijzigde Motie 3327 Wesseling c.s. inzake Veilig over straat;
- Gewijzigde motie 3239 Vaessen en Mülders c.s. inzake Veilig thuis in de nacht.

Gewijzigde Motie 3249 Berghorst c.s.

Met de ontvangen motie 3249 inzake 'Ruimte voor veiligheidsbeleving vrouwen en kwetsbare groepen in Limburg' wordt het college van Gedeputeerde Staten verzocht sociale veiligheid nadrukkelijker te betrekken bij de inrichting van de openbare ruimte, met bijzondere aandacht voor vrouwen en kwetsbare groepen.

Om hieraan uitvoering te geven, zet de Provincie Limburg in op het structureel versterken van sociale veiligheid binnen provinciale mobiliteits- en infrastructuurprojecten. Het doel is om vanaf Q4 2026 sociale veiligheid expliciet mee te nemen bij de voorbereiding, beoordeling en uitvoering van relevante provinciale projecten in de openbare ruimte.

Daartoe worden in de volgende stappen gezet:

1. Ontwikkelen van een provinciaal beoordelingssystematiek
In Q4 2026 wordt gestart met de ontwikkeling van een praktisch toepasbare beoordelingssystematiek voor sociale veiligheid bij ontwerp, aanleg en beheer van provinciale infrastructuur. Dit kader wordt gebaseerd op de principes van Crime Prevention Through Environmental Design (CPTED) en de ZETA-principes (Zichtbaarheid, Eenduidigheid, Toegankelijkheid en Aantrekkelijkheid).
Beoogd resultaat: een toepasbaar beoordelingskader dat binnen provinciale projecten kan worden gebruikt om sociale veiligheid systematisch mee te wegen.
2. Versterken van interne kennis en deskundigheid
In 2026 wordt intern geïnvesteerd in kennisopbouw via een gerichte opleiding op het gebied van CPTED. Hiermee wordt de organisatie beter in staat gesteld ontwerpprincipes en veiligheidsmaatregelen te herkennen, toe te passen en te beoordelen.
Beoogd resultaat: versterkte interne expertise, zodat sociale veiligheid inhoudelijk beter kan worden betrokken bij provinciale afwegingen en projecten.
3. Ondersteunen van gemeenten via kennisdeling
In Q4 2026 wordt bezien op welke wijze gemeenten gericht kunnen worden ondersteund bij het meenemen van sociale veiligheid in de openbare ruimte. Hierover heeft afstemming plaatsgevonden met de drie Limburgse regio's (Noord, Midden, Zuid). Hieruit blijkt dat er brede interesse is vanuit gemeenten in het onderwerp sociale veiligheid. Bij deze kennisdeling wordt ingezet op één of meer concrete kennisinstrumenten, zoals webinars, trainingen voor bestuurders, beleidsmakers en ontwerpers en/of een digitale kennisbank met instrumenten, voorbeeldprojecten en praktische toetsingskaders.
Beoogd resultaat: gemeenten beschikken over praktische kennis en handvatten om sociale veiligheid beter te betrekken bij de (her)inrichting van publieke ruimtes.
4. Verkennen van samenwerking met kennispartners
In Q4 2026 wordt in overleg met de Stichting Veilig Ontwerp en Beheer (SVOB) verkend welke kennisinstrumenten en vormen van ondersteuning het meest effectief zijn voor de provinciale en gemeentelijke praktijk.
Beoogd resultaat: inzet van passende en doelgerichte kennisinstrumenten die aansluiten bij de behoefte van provincie en gemeenten.

Met deze aanpak wordt beoogd om sociale veiligheid concreet, toepasbaar en structureel onderdeel te maken van de provinciale werkwijze en tegelijkertijd gemeenten te ondersteunen bij de praktische toepassing hiervan.

Via het IPML zullen wij u structureel informeren over de voortgang van bovengenoemde stappen op sociale veiligheid. Daarmee beschouwen we motie 3249 als afgedaan.

Motie 3256 Hoks c.s.

Naar aanleiding van motie 3256 Hoks c.s. hebben wij met Arriva, NS en ProRail een verkenning gedaan naar de mogelijkheden inzake uitbreiding van cameratoezicht op Limburgse stations. Daarbij hebben we prioriteit gegeven aan de in het -onderzoek naar sociale veiligheidsbeleving in het openbaar vervoer in Limburg- genoemde onveilige locaties in Limburg als zijnde locaties waar cameratoezicht aanwezig zou moeten zijn (Zie: Mededeling portefeuillehouder inzake onderzoek veiligheidsbeleving in het openbaar vervoer in Limburg en verbeteren contactmogelijkheden (moties 3106 en 3164) d.d. 9 september 2025). Concreet betreft dit de stations van Maastricht, Heerlen, Roermond, Sittard en Venlo. Deze stations zijn allen voorzien van cameratoezicht. Het Intercitystation Weert wordt dit jaar (2026) voorzien van cameratoezicht. Daarmee zijn alle intercitystations en 'hotspots' uit het -onderzoek naar sociale veiligheidsbeleving in het openbaar vervoer- voorzien van cameratoezicht. Daarnaast is op de volgende stations ook (vast of mobiel) cameratoezicht aanwezig (of gepland): Tegelen; Maastricht Noord; Maastricht Randwyck; Meerssen; Echt; Landgraaf; Kerkrade Centrum. Verder zijn alle treinen en bussen van Arriva voorzien van camera's. Desondanks voelen reizigers zich onveilig op sommige trajecten van Arriva (Maastricht–Kerkrade en Nijmegen–Roermond). Er zijn geen verdere locaties voor versterking of plaatsing van cameratoezicht geïdentificeerd.

Over het algemeen geldt dat (permanente) camera's niet persé effectief zijn in het verbeteren van de subjectieve veiligheid van reizigers. In sommige gevallen (met name als sprake is van vandalisme en molest) kunnen camera's (tijdelijk) bijdragen aan het verbeteren van de sociale veiligheid. Dit is echter sterk afhankelijk van de locatie en de oorzaken achter de overlast (bijv. hangjongeren, daklozenoverlast, drank- en drugsproblematieken). Het aanpakken van deze oorzaken van sociale onveiligheid is vanzelfsprekend de meest duurzame oplossing.

ProRail beschikt momenteel over drie mobiele sets camera's. Deze kan ProRail Stations in Zuid-Nederland (provincies Zeeland, Noord-Brabant en Limburg) naar eigen inzicht (ver)plaatsen. Dit doet ProRail altijd in samenspraak met NS Stations en op basis van incidentcijfers.

Uit het -onderzoek naar sociale veiligheidsbeleving in het openbaar vervoer in Limburg- blijkt dat reizigers de volgende (belangrijkste) oorzaken identificeren voor het gevoel van onveiligheid: afwezigheid van personeel; onberekenbaar gedrag van anderen; slechte verlichting. Daarbij geven sommige groepen reizigers (vrouwen, ouderen, LHBTI+'ers, etc.) aan dat zij zich niet veiliger voelen bij aanwezigheid van cameratoezicht ten opzichte van afwezigheid van cameratoezicht. Reizigers (en in het bijzonder vrouwen) geven wel aan zich veiliger te voelen door de aanwezigheid van personeel, alsook betere verlichting. Investeren in andere maatregelen ten behoeve van de sociale veiligheid (subjectief én objectief) wordt door partijen onderstreept als effectiever en doelmatiger. Te denken valt hierbij aan het investeren in goede verlichting; goede zichtlijnen; sociale controle (via bv. personeel); en een vriendelijke- en toegankelijke openbare ruimte.

Dit heeft reeds de aandacht van ProRail, NS, Arriva en wordt reeds toegepast bij bv. stations verbouwingen. Ook is er op iedere NS trein altijd minimaal één hoofdconducteur aanwezig. Vanwege de hoge kosten van cameratoezicht op bushaltes, is cameratoezicht geen haalbare, noch effectieve, oplossing om de sociale veiligheidsbeleving te verbeteren voor (kwetsbare) reizigers. Daarbij geldt ook hier dat de veiligheidsbeleving vooral zal verbeteren door middel van het investeren in betere verlichting van de gehele openbare ruimte, goede zichtlijnen, en een vriendelijke, toegankelijke openbare ruimte. In het kader van de Gewijzigde Motie 3249 Berghorst c.s. wordt samen met gemeenten ingezet op het verbeteren van de inrichting van openbare ruimten (waaronder rondom stations- en bushaltes).

Daarmee beschouwen wij motie 3256 als afgedaan.

Gewijzigde Motie 3264 Bloi c.s.

Naar aanleiding van de Gewijzigde Motie 3264 Bloi c.s. inzake Veilige en betrouwbare grensoverschrijdende spoorverbindingen heeft ons college via het b-solutions project een opdracht uitgezet bij ITEM, het Institute for Transnational and Euregional Cross-border Cooperation and Mobility van de Universiteit Maastricht (UM), om onderzoek te doen naar de juridische en administratieve belemmeringen voor de grensoverschrijdende samenwerking op de Drielandentrein (RE18). Het b-solutions project wordt gesteund door het Directoraat-generaal Regionaal en Stedelijk Beleid (DG REGIO) van de Europese Commissie en beheerd door de Vereniging van Europese Gensregio's (AEBR). b-solutions pakt juridische of administratieve belemmeringen aan die grensoverschrijdende samenwerkingsprojecten en -initiatieven in de weg staan. Het onderzoeksrapport van b-solutions is als bijlage bijgevoegd.

De Drielandentrein (RE18) zorgt voor een directe regionale treinverbinding tussen Aachen, Heerlen, Maastricht en Liège, waarbij de grenzen van Duitsland, Nederland en België worden overschreden. De dienst wordt geëxploiteerd via een combinatie van concessies en samenwerkingsovereenkomsten waarbij Arriva, NMBS/SNCB en NS als concessiehouders betrokken zijn. De concessie verlenende partijen zijn respectievelijk de Provincie Limburg, go.Rheinland (D), Federale Overheid (B) en het Ministerie van Infrastructuur en Waterstaat.

Hoewel de trein een belangrijk symbool is voor grensoverschrijdende mobiliteit in de Euregio Maas-Rijn, zijn er zorgen over veiligheid, toezicht en handhaving, wat heeft geleid tot het beeld van een 'handhavingsvacuüm'. Er is onderzocht of juridische belemmeringen het treinpersoneel ervan weerhoudt om hun toezichts- en handhavingsbevoegdheden effectief uit te oefenen bij grensoverschrijdende ritten. De analyse richtte zich op de Nederlandse, Belgische en Duitse spoorwegwetgeving, met bijzondere aandacht voor de Nederlandse Wet Personenvervoer 2000.

De belangrijkste conclusie is dat eventuele belemmeringen binnen Nederland als het gaat om toezichthoudende bevoegdheden niet juridisch zijn. Belgisch NMBS-personeel en Duits DB Regio-personeel dat op Nederlands grondgebied rijdt, kan over het algemeen toezichthoudende bevoegdheden uitoefenen wanneer ze daartoe zijn aangewezen door of optreden namens de verantwoordelijke concessiehouder.

Deze bevoegdheden omvatten het controleren van kaartjes, het vragen om identiteitsbewijzen, het schrijven van boetes, het weigeren van toegang tot vervoersdiensten en het inroepen van hulp van de politie of andere bevoegde autoriteiten. In België en Duitsland bestaan vergelijkbare toezichtskaders. Er is dus geen fundamentele juridische belemmering die deze activiteiten op de Drielandentrein (RE18) in de weg staat. Als het gaat om verdergaande handhavingsactiviteiten op de trein kent Nederland in vergelijking met België en Duitsland een duidelijk verdergaande regeling: de BOA-status. De handhavingsbevoegdheden die gepaard gaan met deze status, zijn in de wettelijke kaders van én België én Duitsland niet aanwezig en daarom op het personeel van bijvoorbeeld DB Regio en NMBS niet van toepassing. In Duitsland bestaat wel een juridische belemmering bij het controleren van tickets, waar met name Arriva als de houder van de concessie niet zelf boetes mag uitschrijven. In dit geval heeft Arriva zelf gekozen voor een samenwerking met DB wat een controle van tickets wel mogelijk maakt.

Voor wat betreft de toezichthoudende bevoegdheden zijn de belangrijkste uitdagingen op Nederlands grondgebied daarom eerder operationeel. Verschillen in kaartverkoopsystemen, controleapparatuur, opleiding van het personeel, organisatorische verantwoordelijkheden en veiligheidsprocedures kunnen voor zowel het personeel als de reizigers onzekerheid veroorzaken. Bovendien zijn de verantwoordelijkheden verdeeld over meerdere spoorwegmaatschappijen, infrastructuurbeheerders, overheidsinstanties en politiediensten in drie landen, wat de coördinatie bemoeilijkt. Om de veiligheid en betrouwbaarheid te verbeteren, wordt daarom aanbevolen om de grensoverschrijdende samenwerking te versterken.

Zoals door b-solutions wordt aanbevolen, zullen we in overleg treden met betrokken partijen om de (on)mogelijkheden van onderstaande maatregelen te verkennen:

- gemengde inspectieteams (inzet van “vliegende brigades” bestaande uit NMBS/SNCB, Arriva en NS personeel of Arriva en DB regio personeel op respectievelijk de trajecten Liège-Guillemins – Maastricht en Maastricht – Aachen Hbf.).
- grensoverschrijdende opleiding en kennisuitwisseling.
- gezamenlijke stationsinspecties (stationsschouw).
- inzet Benelux-politieverdrag voor veiligheidspersoneel.

In het kader van het ITEM-onderzoek, en vanwege het grensoverschrijdende karakter en de daarbij behorende grensoverschrijdende uitdagingen van de treindienst, was het noodcontactnummer (nog) niet geïmplementeerd op de Drielandentrein (RE18). Zie ook de Gewijzigde Motie vreemd 3164 Hoks c.s. inzake Verbetering van Veiligheid en Contactmogelijkheden in het Openbaar Vervoer.

Met afronding van het ITEM-onderzoek en bijbehorende resultaten zullen we samen met de andere verantwoordelijke partijen in overleg treden over een implementatie van het noodcontactnummer voor reizigers op de Drielandentrein (RE18).

Daarmee beschouwen wij motie 3264 als afgedaan.

2e Gewijzigde Motie 3327 Wesseling c.s.

Met de ontvangen motie 3327 inzake 'Veilig over straat' wordt verzocht een laagdrempelig digitaal meldpunt in te richten waar inwoners sociaal onveilige locaties kunnen melden.

In dat kader zijn wij in overleg getreden met andere provincies om inzicht te krijgen in hun ervaringen met het inrichten van een dergelijk meldpunt. Daarbij wordt tevens onderzocht hoe meldingen structureel kunnen worden verzameld, geanalyseerd en opgevolgd, inclusief de daarbij behorende maatregelen, kosten en financieringsmogelijkheden.

Op basis daarvan kan in Q4 worden gestart met het opzetten van een laagdrempelig meldpunt, waar inwoners sociaal onveilige locaties en routes langs provinciale infrastructuur op verschillende manieren bij de provincie kunnen melden. De provincie wil deze meldingen registreren en analyseren.

Meldingen die eenvoudig binnen bestaande processen kunnen worden opgelost, zoals kapotte verlichting, graffiti of signalen van begroeiing, kunnen zo snel mogelijk worden opgepakt. Daarnaast verkennen we hoe complexere meldingen kunnen worden opgevolgd via mogelijk aanvullend onderzoek. Dat vervolgonderzoek moet probleemlocaties in beeld brengen en inzicht geven in effectieve maatregelen, de bijbehorende kosten en mogelijke financieringsbronnen.

Zodra het meldpunt operationeel is zullen wij uw Staten hierover informeren via het IPML. Ook over de meldingen informeren wij u via het IPML. Daarmee beschouwen we motie 3327 als afgedaan.

Gewijzigde motie 3239 Vaessen en Mülders c.s.

Onderzoeksbureau Sweco voert het onderzoek uit naar de mogelijkheden voor collectief nachtvervoer en de verwachte effecten hiervan op de sociale veiligheid en veiligheidsbeleving. Over de resultaten van het onderzoek worden uw Staten via een separate mededeling portefeuillehouder geïnformeerd.

Gedeputeerde Staten van Limburg
namens dezen,

J.J.M. Kuntzelaers
Gedeputeerde Provincie Limburg
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B-SOLUTIONS REPORT

Advice case title: Safe and Reliable Tri-Country Train (RE18)

Full official name of the advised entity: Province of Limburg

Name of the expert contracted for the advice case: Pim Mertens & Sem Jans

Date: 30 July 2026

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I. Executive summary

The Tri-Country Train (RE18) provides a direct regional rail connection between Aachen, Heerlen, Maastricht and Liège, crossing the borders of Germany, the Netherlands and Belgium. The service is operated through a complex combination of concessions and cooperation agreements involving Arriva, DB Regio, NMBS/SNCB and NS Reizigers. While the train is an important symbol of cross-border mobility in the Euregio Meuse-Rhine, concerns have emerged regarding safety, supervision and enforcement on board, leading to public perceptions of an “enforcement vacuum”.

This report examines whether legal barriers prevent train staff from effectively exercising supervisory and enforcement powers when operating across borders. The case followed concerns on the Belgian-Dutch track, so that the report in particular focuses on this section. However, the analysis discusses the Dutch, Belgian and German railway legislation, with particular attention to the Dutch Passenger Transport Act 2000 (*Wet Personenvervoer 2000*). The main conclusion is that the obstacle is **not primarily legal**. Belgian NMBS staff and German DB Regio staff operating on Dutch territory can generally exercise supervisory powers when designated by, or acting on behalf of, the responsible railway carrier. These powers include conducting ticket inspections, requesting identification, issuing fare-related sanctions, denying access to transport services and requesting assistance from police or other competent authorities. Similar supervisory frameworks also exist in Belgium and Germany. Consequently, there is no fundamental legal barrier preventing train staff from carrying out basic supervisory and enforcement activities on the Tri-Country Train. Nevertheless, there are legal differences and different statutes regarding train personnel and policing/enforcement capacities.

The key challenges in terms of supervision are **operational rather than legal**. Differences in ticketing systems, inspection equipment, staff training, organisational responsibilities and safety procedures can create uncertainty for both staff and passengers. Moreover, responsibilities are spread across multiple railway operators, infrastructure managers, public authorities and police services across the three countries, making coordination more complex. To improve safety and reliability, the report recommends strengthening cross-border cooperation in several manners. In the short term, stakeholders should establish a shared understanding of safety challenges, organise regular joint station inspections (*stationsschouw*), deploy mixed inspection teams (“flying brigades”), and increase cross-border training and knowledge exchange. In the medium term, a cross-border social safety agreement could be developed, drawing inspiration from the Enschede-Gronau model, while opportunities under the Benelux Police Treaty and concession requirements should be explored to facilitate cooperation. In the longer term, the development of a practical guideline for cross-border public transport operations between Belgium, Germany and the Netherlands would help provide greater legal and administrative clarity for future services.

Overall, the successful operation of the Tri-Country Train depends less on new legislation and more on effective governance, operational coordination and sustained cooperation between railway operators, public authorities and enforcement bodies across the three countries. Nevertheless, the report highlights some recommendations for allowing policing powers across the border.

II. Description of the obstacle

The *Drielandentrein* (also known as the *Deiländerzug*, *Train des trois pays*, or, for simplicity, the tri-country train) is a cross-border train line that operates in and traverses three countries: Germany, the Netherlands and Belgium. There is a direct connection on the regional trainline RE18 once an hour between Aachen, Heerlen, Maastricht and eventually Liège, connecting four key cities within the Euregio Meuse-Rhine. The train thus crosses two international borders on its route, allowing passengers to travel through three countries on a single train journey, with the possibility of doing so using a single international ticket, i.e. the Euregioticket. The train's operation relies on eight specifically configured FLIRT trains, equipped with the ETCS-system, making them specially equipped to operate on the railway systems of Germany, the Netherlands and Belgium.¹

The service is often presented as a best practice of European cross-border integration and cooperation.² At the same time, it illustrates many of the practical challenges that affect cross-border transport. The particular challenges to cross-border regional trains, but also the importance and development thereof is well-described by mobil.nrw.³ The tri-country train is exemplary for the challenges that may arise when operating a train across borders, in terms of technics, safety requirements, language, legislation and competencies. ITEM has previously written several reports on some of these challenges.⁴ In the application concerns were shared regarding the safety, supervision and enforcement on board, leading to public perceptions of an “enforcement vacuum”. This was in particular articulated by the applicant regarding the route between Maastricht (NL) and Liège (BE). Questions have been raised in the Provincial Council about the (im)possibilities of, in this case, Belgian train personnel controlling tickets on Dutch territory. This report examines whether legal barriers prevent train staff from effectively exercising supervisory and enforcement powers when operating across borders. The case followed concerns on the Belgian-Dutch track, so that the report in particular focuses on this section. Furthermore, it will in particular focus on supervising powers over enforcement ones as these are more closely linked to policing competencies.

To oversee the obstacle, we first need to unravel the operation of the Tri-Country Train. This chapter therefore examines the operational and legal frameworks underpinning the tri-country train, to eventually conclude whether the perceived obstacles arise from legal limitations, organisational arrangements, or more practical implementation challenges.

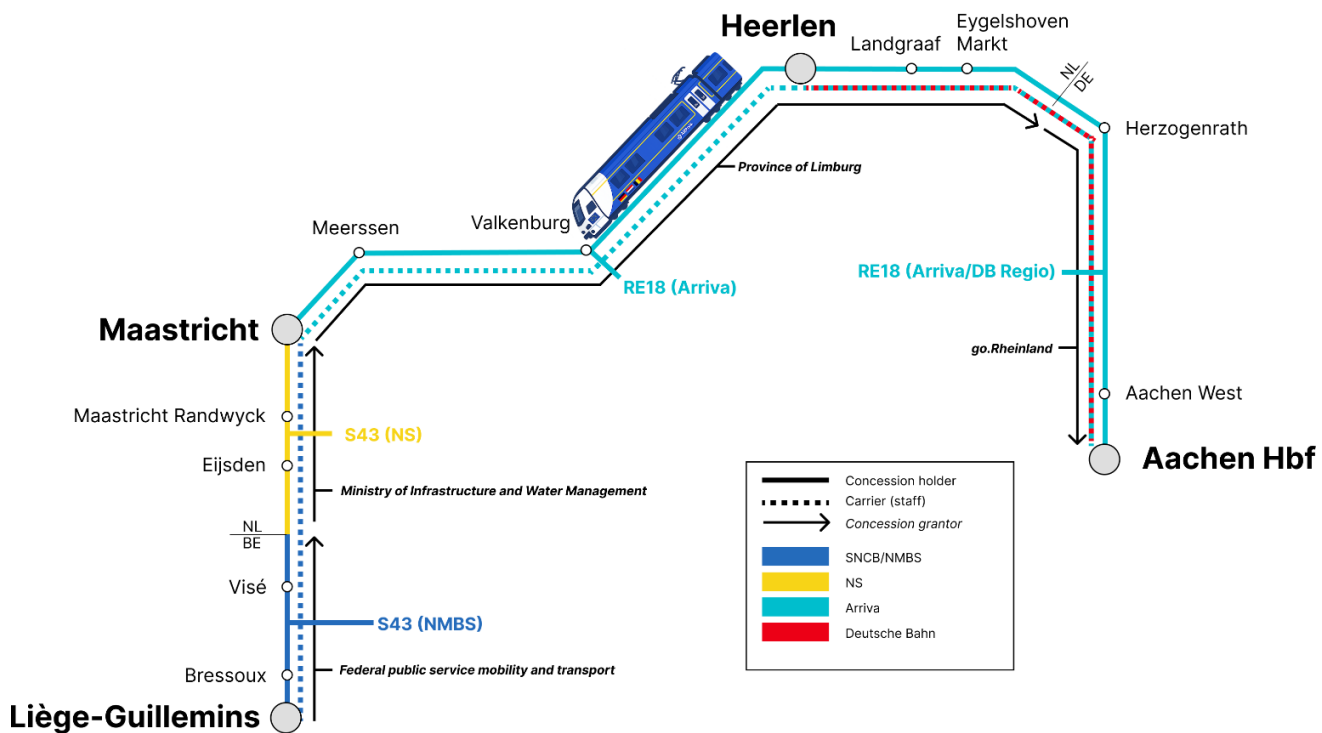
¹ <https://www.railtech.be/nl/digitalisation/2024/05/30/arriva-neemt-etcs-treinen-in-gebruik-voor-haar-drielandentreinen/>

² See, for instance: <https://www.interregeurope.eu/good-practices/new-regional-train-line-connecting-three-countries>

³ <https://infoportal.mobil.nrw/organisation-finanzierung/grenzueberschreitender-oepnv.html>

⁴ See for instance: the report of 2023, prepared by PREMIUM students of the UM: <https://crossborderitem.eu/en/publications/cross-border-assessment-2023-dossier-5-public-transportation-in-the-euregio-meuse-rhine-student-dossier/> and Mertens, P. & Unfried, M. (2025). Analysis of international rail. Commissioned by Municipality of Amsterdam. <https://crossborderitem.eu/en/publications/analysis-international-rail-municipality-of-amsterdam/>

II.a. The operation



Concessions

The tri-country train consists of multiple rail concessions, combined into a single cross-border service. Namely, the corridor Maastricht-Aachen Hbf (RE18) and the corridor Maastricht-Liège (S43). The Maastricht-Heerlen-Aachen Hbf section runs as part of the public transport concessions operated by Arriva on behalf of the Province of Limburg (NL) and go.Rheinland (DE). The Province of Limburg has tendered this cross-border concession on behalf of both authorities. The operational breakdown and responsibilities are divided as follows: from Maastricht to the Dutch-German border, the service is formally operated by Arriva. From the border onwards to Aachen Hbf, operations are carried out jointly by Arriva and DG Regio under a cooperation agreement with DB Regio for the German section of the route.

For the Belgian section of the route (i.e. the Maastricht-Liège corridor), cooperations are in place with Dutch railway operator NS and the Belgian railways company NMBS/SNCB (hereafter referred to as NMBS). An important characteristic of this section is that the railway operation between Maastricht and Eijsden still forms part of the Dutch national *Hoofdrailnetconcessie*, or main rail network concession. Consequently, it is thus not Arriva (the province's concessionaire under the Limburg concession) but *NS Reizigers* who is formally designated as the operator of this section. Subsequently, NS and NMBS have concluded a cooperative agreement that stipulates that NMBS delivers the train material and staff for the Maastricht-Liège corridor. This arrangement builds on the former regional train service connecting Liège to the border city Visé. Finally, NMBS has concluded an agreement with Arriva that specifies that Arriva will provide the train material between Maastricht and Liège. As a result, the former NMBS trainsets (MS75) no longer operate on this connection since 2024.

While NS is not visibly involved in the operation of the tri-country train in any way (as it neither provides staff nor materials), a small portion of the route (Maastricht-Eijsden) is formally operated by them, using staff from NMBS which uses the trains from Arriva. However, this situation is expected to change as decentralisation of this section is foreseen in the near future. It will then be the Province of Limburg that can grant the concession:

"NS and the Concession Grantor endorse the ambition to eventually establish the connection referred to in the second paragraph as a tri-national train service, linking the current Maastricht-Liège connection with the Maastricht-Aachen connection from the Limburg regional concession. The connection referred

to in the second paragraph will be decentralised at a time agreed with NS in good time. This will take place on one of the following dates:

- a. in the event of an amendment to the Concession following the mid-term review referred to in Article 58;
- b. upon the commencement of the new Concession granted by the Province of Limburg; or
- c. upon the expiry of this Concession.”⁵

As of now (July 2026), it is still undetermined when exactly the decentralisation will take place. It is also contingent on several other factors, such as rail capacity allocations and the fulfilment of rail charges.

Staff

The tri-country train operates using a joint staffing model involving staff from Arriva, NMBS and DB Regio, depending on the section of the train route. On the **Aachen-Maastricht section**, train operations are carried out by Arriva staff. Yet, there is also a cooperation with DB Regio for both inspection staff as well as train drivers. Both are used on the route between Heerlen and Aachen. A *Zugbegleiter* from DB Regio are regularly assigned to the Heerlen-Aachen Hbf route with the goal of working on this line with mixed staff by Arriva and DB Regio. On the **Maastricht-Liège section**, the service is operated in cooperation with NMBS, with Belgian railway staff responsible for the operations of this segment of the route. As previously noted, it is *NS Reizigers* and not Arriva (concessionaire under the Limburg concession) who is formally designated as the operator between Maastricht and the Belgian border. In practice, however, NS has delegated the operational responsibilities to NMBS through a cooperation agreement and therefore does not play an active role in the day-to-day operations of the service.

As different operators are responsible for the operation of different sections of the tri-country train, the on-board staffing arrangements also vary. On the Aachen Hbf – Maastricht corridor, the train is operated by an Arriva and/or DB Regio train driver, but there is no permanent inspection staff present. Instead, Arriva operates with flexible on the spot checks, often based on data.⁶ On the Tri-Country Train, inspections are carried out by *employees Service and Safety*. All of them having BOA-status, making them entitled for enforcement measures. On the Maastricht – Liège corridor, the onboard staff consists of an NMBS train driver and conductor (called a *treinbegeleider*). The conductor is responsible for ticket inspections, providing information and safeguarding the safety on board.⁷ A *treinbegeleider* has no to only limited enforcement competences. In case of incidents, there is Securail for safety interventions. There are thus different operations applicable on the trajectory. Indeed, as will follow below, different train operators have made different operational choices in terms of staff models.

II.b Safety and enforcement

Since the tri-country train started running at the end of 2024, several challenges along the route have highlighted the complexities of operating one shared train across three countries. One such challenge concerns the ambiguity surrounding questions of supervision and law enforcement on the train. In media coverage, this has been described as a so-called “enforcement vacuum”, due to a perceived mismatch of supervision and enforcement powers between the three countries.⁸ Because the train operates across three different national legal systems, several practical issues arise. At present, it not always immediately clear which authorities can intervene when nuisances or incidents take place aboard the tri-country train, nor how. For conductors in particular, it necessitates clarity regarding the scope of their legal authority as supervisor (controlling tickets etc.) and enforcement powers on the territory of the two neighbouring countries.

This report first maps the general tasks, competencies and (social) safety policies applicable to railway staff in Belgium, Germany and the Netherlands. These will then be translated to the case of the tri-country train. In particular, this analysis examines what competencies Belgian NMBS and German DB Regio staff have on Dutch territory. The case of Belgian NMBS-staff in the Netherlands was also most prominently presented by the case applicant and therefore has our main focus. Conversely, the competencies of Dutch (Arriva) staff in Belgium and Germany appears to be less relevant, as the

⁵ Own translation. Article 4(3) Concession for the main rail network 2025-2033.

⁶ See for instance: <https://over.arriva.nl/waar-we-voor-gaan/veiligheid-en-gezondheid/>

⁷ See: <https://jobs.belgiantrain.be/go/Customer-services-&-security/967502/>

⁸ See newspaper De Limburger of 17-12-2025: <https://www.limburger.nl/regio/limburg/vrijstaat-voor-zwartrijders-tussen-maastricht-en-de-grens-rijdt-de-drielandentrein-in-een-soort-niemandland/114130022.html>

principle goal is to work with mixed teams on the Heerlen-Aachen Hbf track.⁹ Given the scope of this case, we therefore limit the analysis of Dutch Arriva staff in Germany.

Competencies

Rail transport is, to a large extent, organised and regulated at the national level. The same applies to the legal frameworks governing safety, supervision and enforcement. Nevertheless, there are some overlaps and similarities in the responsibilities and supervisory & enforcement capacities of each country's train staff. We briefly summarise the relevant aspects in the next table.

Table 1: Overview railway and enforcement

	Netherlands	Belgium	Germany/NRW
Main operator	NS	NMBS/SNCB	DB (Regio)
Main legislation	Wet Personenvervoer 2000 Besluit Personenvervoer 2000	Wet op de Politie der Spoorwegen Wet houdende de Spoorcodex	<i>Federal</i> Allgemeines Eisenbahngesetz (AEG) Eisenbahnverkehrs-Verordnung (EVO) Eisenbahn-Bau- und Betriebsordnung (EBO) <i>Regional</i> Gesetz über den öffentlichen Personennahverkehr in Nordrhein-Westfalen (ÖPNVG NRW) <i>Operational</i> 'Hausrecht': Beförderungsbedingungen
Main roles & competencies	Toezichthouden Ask for identification Fines Deny access (with strong arm) Limited police capacities NS: conducteur: Arriva: N/A Opsporen Some policing capacities NS: employees Safety and Security Arriva: stewards BOA-ov and employees Service and Safety	Treinbegeleider Ask for identification Fines Identifying offences and drawing up official reports Limited police capacities Securail Police capacities	Zugbegleiter Control tickets and fine Ask for identification Deny access Ask for police support DB Sicherheit Some police capacities

As visible from the table, there are already intra-country differences in the Netherlands, being due to the different operational choices between train operators. Train operator NS works with conductors and employees Safety and Security. The former only has supervising powers, where the latter also includes some policing/enforcement powers due to their *boa*-status. The distinction between a train conductor and employee Safety and Security can also be observed in Belgium (*Treinbegeleider* and *Securail*) and Germany¹⁰ (*Zugbegleiter* and *DB Sicherheit*). Train operator Arriva does not have permanent conductors present in their trains, but works with flexible on the spot checks with *stewards BOA-ov*

⁹ As was mentioned in interviews. Nevertheless, a mixed team cannot be guaranteed in terms of staff. It could be that it is only DB Regio staff or Arriva that operates at the German section.

¹⁰ Although this is dependent of the train operator in Germany, as there are multiple operators apart from DB.

and/or *employees Service and Safety*. Where the stewards are mainly responsible for assistance and answering passengers as well as controlling tickets and issuing fines if needed, the Service and Safety staff focuses on the enforcement of order and safety, particularly in case of incidents.¹¹ All of them having BOA-status, making them entitled for enforcement measures.

Applied to the case of the tri-country train, the central question is to what extent German and Belgian railway staff can exercise enforcement powers on Dutch territory. This primarily concerns the corridors Eijsden-Maastricht (NMBS staff) and, in practical terms to a lesser extent, Heerlen-Eygelshoven Markt (DB Regio staff). Here, the Dutch Act on Passenger Traffic 2000 (*Wet Personenvervoer 2000*) is applicable. Article 87 stipulates the competencies under 'supervision' (*toezichthouden*), where Article 89 prescribes additional policing competencies under 'investigation' (*opsporen*). Foreign railway staff may qualify as supervisors under Article 87(3), which states: "*Without prejudice to the provisions of the first and second paragraphs, persons designated for that purpose by the carrier shall also be responsible for monitoring compliance with the provisions laid down in or pursuant to Articles 70 to 74.*" (own translation) This provision thus allows the carrier to designate persons responsible for monitoring the compliance of train passengers. Under Articles 70 to 74, the rules for the use of public transport services are listed. These include prohibitions on, among other things, travelling without valid ticket, obstructing ticket controls, disturbing public order and safety in the train or in the vicinity of it, and disobeying orders of train staff. 'Supervisors' designated under Article 87 have the competency to ask for identification (Article 92), withdraw invalid tickets, inquire about the nature of the luggage and, if necessary, remove it from the train and deny access to public transport, if necessary using a 'strong arm' (Articles 97 and 98(1)(5)). The statutory fine for travelling without a valid ticket in the Netherlands is €70, in addition to the applicable ticket price.¹² This is relevant to point out, as fines are differently organised in Belgium and Germany. In Belgium, a fine is a flat rate of €90¹³, while in Germany, it is at least €60 or twice the normal tariff.¹⁴ For international connections, specific terms may apply.¹⁵

How do these powers differ from investigation (*opsporen*)? First, and most importantly, investigators possess additional policing capacities (that are not available to supervisors) and can also act outside the train: they may remove someone from the station or stop, if needed with 'strong arm' (Article 98(2)). In practice, responsibility for enforcing safety and public order at train stations lies with NS (employees Safety and Security), together with the *boa* of the municipality concerned and/or police. Generally, *NS Stations* is responsible for safety measures on the train stations. Consequently, supervisors are equipped with important competences to maintain order on the train. However, although supervisors are authorised to ask for identification, their enforcement options are more limited if a passenger refuses or is unable to produce valid identification. They are also not able to verify personal information in Basic Register of Persons (*Basisregistratie Personen, BRP*).¹⁶ In such cases, they may request alternatives such as debit or credit cards, and seek assistance by a *boa* or police.

Now, the remaining question is whether the NMBS and DB Regio staff can be regarded as persons designated by the carrier under the WPV 2000. Earlier, we have shown that the contractual arrangement behind the tri-country train are relatively complex, which makes a difficult assessment to determine: who is or qualifies as the carrier? The formal carrier on the track Eijsden-Maastricht is *NS Reizigers*. However, under the cooperation agreement between NS and NMBS, NMBS operates this section on behalf of *NS Reizigers*. Thereby, NMBS can be regarded as the carrier on behalf of *NS Reizigers*.¹⁷ Thus, the NMBS staff enjoy the rights and competencies as 'supervisors' under Article 87(3) WPV 2000.

¹¹ See: <https://werkenbij.arriva.nl/bij-ons-werken/medewerker-service-veiligheid/>

¹² Article 48 *Besluit Personenvervoer 2000* and *Vaststelling bedragen, bedoeld in artikel 48, tweede en zesde lid, Besluit personenvervoer 2000*.

¹³ Based on *Algemene Vervoersvoorwaarden van NMBS*, based on Article 15(1) *Wet op de Politie der Spoorwegen*. Yet, there are different regulations in place for international train operations and the EuroCity (Direct) specifically.

¹⁴ § 6 *Eisenbahnverkehrs-Verordnung*.

¹⁵ Such as is the case at the EuroCity Direct between the Netherlands and Belgium. This depends on the local carriers' terms and conditions. We are not aware of specific terms and conditions for the Tri-Country Train.

¹⁶ See an extensive legal review for OV-NL, assessed the framework for competencies regarding identification, information exchange and accessing personal information here: <https://www.ov-nl.nl/wp-content/uploads/2025/01/20250110-OV-NL-Handhaven-in-het-openbaar-vervoer.pdf> Since Arriva only works with *OV-boa* personnel, this is generally less the case here. However, these competences often stop at the border: it is not possible to access registries of abroad. This may be an obstacle for Arriva personnel, active at the German section.

¹⁷ It was explicitly mentioned by the relevant train operators that NMBS could be considered as the carrier on behalf of *NS Reizigers* in a legal sense.

In practice, these powers should be sufficient and largely equivalent to those of the Dutch counterparts – meaning that basic rights are in place to control tickets, fine, deny access, ask for identification and ask for assistance from police or other competent authorities where necessary. The analysis therefore suggests that in practice, there is thus no legal challenge regarding supervision and enforcement rights on the train, as long as they do not involve policing powers¹⁸, but rather an operational one. Indeed, German and Belgian train personnel can carry out their powers under *toezichthouden*¹⁹, that often are similar to the ones in their own jurisdiction as *Zugbegleiter* or *Treinbegeleider*. One example concerns the differences in ticketing systems. The Dutch OV-card, for instance, is valid between Maastricht-Eijsden but not in Belgium. To address this, Arriva and NMBS have established a practical arrangement under which Arriva supplies NMBS with handheld devices that enable them to read the Dutch OV-cards. These handheld devices are stored in a safe at the NMBS establishment in Liège. Under the arrangement of ‘train the trainers’, NMBS is trained to use the Dutch handheld. Yet, it is a fact that train staff is confronted with different cross-border and national or regional train tickets, discount rates and subscriptions, that may be challenging to be all aware of and know how to verify these.

The same applies to the Heerlen-Eygelshoven Markt section, where DB Regio may also staff the train. However, there is an important difference; this section is operated under the safety regulations of Arriva, without a permanent conductor on board. Instead, ticket inspections are often carried out through flexible onboard inspections, and services on this section are often staffed by mixed Arriva and DB Regio teams.

Finally, a brief note should be made regarding the Herzogenrath-Aachen Hbf section, where it is also possible for Arriva staff to accompany DB Regio staff in the form of a mixed team. In general, the regulations on the train are greatly shaped in the operators’ terms and conditions (such as *Beförderungsbedingungen der Deutschen Bahn AG*) and house rules. Police powers are regulated in criminal and police law, that falls out of the scope of this report. When Arriva personnel operate across the border, it is likely that they cannot apply all their enforcement/policing competencies related to their *boa*-status. Nevertheless, it is likely that the competencies related to supervision can still be applied as it is regulated in their terms and conditions. Interestingly, § 3a of the *Eisenbahn-Bau- und Betriebsordnung (EBO)* allows for deviations on the rules, stated in Sections (*Abschnitt*) 2 to 5, on border routes, namely allowing the corresponding provisions of the neighbouring state to be applied instead. Section 5 includes provisions on personnel. If needed, § 3a thus would allow for adopting the provisions of the neighbouring state. However, § 3a(2) requires staff to speak German and allows a second language.²⁰

Social safety on the train

In the Netherlands, public transport operators, the national government, the provinces and other relevant parties have agreed upon a national agreement on Social Safety in public transport 2020-2025 (*Landelijk convenant Sociale Veiligheid in het OV 2020-2025*). The Province of Limburg and Arriva are among the signatories. The agreement follows a longer discussion on social safety, addressing issues such as violence, theft, threats, bullying and harassment in public transportation, and builds earlier work programmes and agreements to combat this. The current agreement binds the parties to cooperate, share experience and knowledge, adhere to a register of incidents, and have certain requirements incorporated into public transport concessions. Article 3 establishes a national consultation structure between the parties, consisting of four policy-level meetings, two directional-level meeting, and one administrative-level meeting each year. Article 5 explicitly allows for additional local arrangements or agreements, including arrangements that can extend across concession boundaries, regional or national borders.

The Dutch main rail network concession awarded to NS contains specific obligations related to social safety measures (Article 36). These obligations therefore also apply to the tri-country train (i.e. the Maastricht-Eijsden section part of the main rail network). Where necessary, the concession requires NS to make arrangements with decentral governments, municipalities, police, justice and other public transport operators (Article 36(5)). For the Maastricht-Aachen Hbf section, we have to look to the concession of the Province of Limburg. According to the concession, Arriva is obligated to prepare an annual social safety plan. Among other things, the concession requires Arriva to make use of camera

¹⁸ As shown, foreign staff cannot qualify as *opsporen* and thus do not enjoy the *boa*-status. However, a *Zugbegleiter* or *Treinbegeleider* do also not necessarily possess these in Belgium or Germany. Nor do *Treinconducteurs* of NS possess these powers. Staff of Arriva do have the *boa*-status.

¹⁹ Also with the legal limitations to the verification of identification, as mentioned before.

²⁰ The specific applicability of § 3a is not studied in greater detail and may have to be officially confirmed.

surveillance, to ensure sufficient staffing based on risk analyses, to provide the Province with insights on incidents, and to have a system in place that enables passengers to call or text in case of incidents. In line with these requirements, the Province of Limburg recently shared a press release stating that passengers of Arriva-trains can signal unsafe situations directly via WhatsApp or SMS.²¹ However, the service is not yet available on the Tri-Country train itself. According to the Province, there are plans to do so in the future, after the first national pilots have resulted. An easy solution for the Tri-Country train would be a sticker, including three phone numbers – one for each country/operator. That would be the number of NMBS for the journey in Belgium, the number of Arriva for the Dutch section and possibly the German section as well.²² This solution was already implemented in other cross-border trains between the Netherlands and Belgium, as well as other cross-border trains of NMBS.²³

Finally, social safety remains a broader debate in the Netherlands, Belgium and Germany. Recent developments include the €90 flat-rate fine by NMBS, the removal of the option to buy tickets on board, the wider deployment and use of body cams, increased onboard staffing on the train, and increased camera surveillance. Yet, up to date, no major concerns or incidents were reported on the Tri-Country Train by the interviewed parties in the course of the study. Therefore, currently no additional safety measures or arrangements had to be agreed upon between the train operators.

Summarising the safety framework on the Tri-Country Train in practice

In summary, the Tri-Country Train is characterised by a complex combination of national legal systems, concession arrangements and operational partnerships. Despite public concerns about an alleged “enforcement vacuum”, this legal analysis demonstrated that Belgian NMBS staff and German DB Regio staff operating on Dutch territory can generally exercise the supervisory powers granted under Article 87(3) of the Dutch Passenger Transport Act 2000, provided they act on behalf of the designated carrier. Furthermore, railway staff’s powers are more or less broadly comparable between the Netherlands, Germany and Belgium. These powers include conducting ticket inspections, requesting identification, issuing fare-related sanctions, denying access to transport services and requesting assistance from competent authorities. As already shown, the operation of Arriva in terms of staff is slightly different as it works with flexible on the spot checks by personnel, all having the *boa*-status.

The main challenges regarding supervision seem therefore not primarily legal²⁴, but operational. Differences in ticketing systems, inspection equipment, training, staffing models and procedures can create uncertainty in day-to-day supervision. While practical solutions such as shared handheld devices and joint operational arrangements have already been implemented, train staff do not always have access to the same enforcement tools (or if they do, access may not be to the full extent) or access to the same information across borders. Social safety is further supported through concession requirements, national agreements on public transport safety, cooperation between operators and public authorities, camera surveillance, incident reporting systems, and dedicated safety staff. At the same time, the fragmented governance structure of the service, involving multiple operators and authorities from three countries, means that passengers may encounter different approaches to customer service, ticket inspections and incident management depending on the section of the route. Finally, competencies and responsibilities for social safety are divided across different stakeholders. For example, *NS Stations* is responsible for safety at the train stations, NMBS is responsible for the staff in the train, while Arriva is responsible for fulfilling the social safety obligations under the concession. Nevertheless, no major incidents or concerns were reported by the rail operators regarding the Tri-Country Train.

III. Other aspects relevant to the case

Relevant example: Addendum Province of Overijssel

²¹ See the press release of 13 April 2026:

<https://www.limburg.nl/actueel/nieuws/nieuwsberichten/2026/april/reizigers-overlast-melden-via-whatsapp/>

²² As Arriva is the operator. Since there is cooperation with DB Regio, it could be useful to seek cooperation here with DB Regio as well.

²³ As was mentioned in an interview with NMBS.

²⁴ Here we do emphasise that there are challenges related to enforcement of social safety, these are also vivid in national train operations. There is also a clear obstacle to executing policing powers, such as through the *boa*-status, across the border. This is not the main focus of this report.

On 29 April 2020, the national Covenant on Social Safety in Public Transport was signed.²⁵ Preceding the national agreement, earlier that year in November 2019, a regional agreement was already signed and concluded regarding Social Safety in the Public Transport East-Netherlands. The signatories to this regional agreement are the East Netherlands Police Unit, the public transport operators NS, Arriva, Connexxion and Keolis, and the provinces of Gelderland and Overijssel. In addition to this agreement, and to extent the cooperation to the cross-border railway corridor between Enschede and Gronau, an addendum²⁶ was concluded on 18 December 2019 between the Municipality of Enschede, Prorail, NS Stations, *Landespolizei Landeskreis* Borken, and DB Regio AG Region NRW. Through this addendum, these partners have formally joined the regional agreement of East-Netherlands for the specific purpose of addressing social safety on the Enschede-Gronau line.

The addendum was based on the recognition that, although the partners involved wished to cooperate in the field of social safety, the cross-border section had traditionally fallen outside the scope of the regional agreement. By signing this addendum, the partners became part of the existing cooperation agreement. This collaboration was considered necessary because the Enschede–Gronau route faces specific challenges: many passengers travel without a ticket and/or have drug-related issues. These issues lead to disruption both on and off the train (at the station and in the surrounding area).

In addition to aligning with the social safety agreement, the addendum also sets out several specific cooperation arrangements. There are regular consultation meetings each year, at three different levels: strategic (twice a year with stakeholders), tactical (three times a year on Safety, Monitor experience station) and operational (on request with police, NS, Keolis). The parties each appoint designated contact persons for these meetings.

The strategic consultations focus on broad outlines, whilst the tactical consultations discuss areas for improvement. Operational consultations address and implement the measures. The topics discussed are: social safety on the train, social safety in the vicinity of the station, social safety at the station, the station experience monitor and the cooperation in general. The following table shows the division of responsible partners per theme.

Table 2: Division of responsible partners across themes

Theme	Responsible partners
Social safety train	DB Regio, Keolis, NS Reizigers, Police (NL + D)
Social safety vicinity	Municipality of Enschede, Police (NL + D)
Social safety station	NS Stations, NS Reizigers, Municipality of Enschede, ProRail, Police (NL)
Monitor experience stations	NS Stations
Cooperation	NS Regio office, ProRail, OV-Oost

With the addendum, clear operational agreements were made between the responsible parties, being a mix of train operators, actors for rail/stations, police and governmental actors. It creates clarity on who is responsible for what and installs a periodic consultation. The Enschede–Gronau addendum demonstrates that existing regional social safety agreements can be extended to railway services across the border through supplementary cooperation arrangements, without requiring fundamental legislative changes.

Benelux Police Treaty

Also relevant to this case, when it concerns the Belgian-Dutch track, is the revised Benelux Police Treaty, which entered into force on 1 October 2023. Article 26 of the revised treaty includes a specific provision for police operations on international trains and ships. It allows civil servants:

- to enter or to leave after the end of the assignment, provided that the crossing of the border is reported to the competent authority of the host state no later than at the time of crossing the border;

²⁵ Landelijk convenant Sociale Veiligheid in het OV 2020-2025.

²⁶ Addendum des öffentlich-rechtlichen Vertrags über die soziale Sicherheit im öffentlichen Verkehr in den Ostniederlanden vom 20. November 2018. Kooperationsvereinbarungen für den Bahnhof(sbereich) Enschede, de Eschmarke, Enschede Glanerbrug und Gronau.

- to finalise the control measure, started before crossing the border, also across the border in the neighbouring state as long as necessary;
- to carry out an arrest or a seizure, when started at own territory but need to be continued across the border.

The treaty describes civil servants as “a member of staff of a competent authority who has been appointed in accordance with national law to carry out police duties” (own translation of Article 1(e) Benelux Police Treaty). A ‘competent authority’ is defined as “the government agency responsible, in accordance with national law, for performing the police function as defined in subparagraph (c) of this article and designated by a Contracting Party in Annex 1 for the purposes of implementing this Convention.” (own translation of Article 1(a) Benelux Police Treaty). Annex 1 is limited to the national police and the Marechaussee for the Netherlands and the integrated police for Belgium. Thus, although the treaty facilitates cross-border police cooperation on international trains, it does not extend to train personnel with enforcement/policing powers (such as a *boa* in the Netherlands).

Other cross-border experiences

Hengelo-Bielefeld (RB61) via Bad Bentheim

The RB61 is operated by Eurobahn (Keolis Deutschland) and runs from Bielefeld via Bad Bentheim to Hengelo. Generally, there are no major operational problems: the connection functions reasonably stable and train occupancy is usually not very crowded. Problems that do arise, are often related to ticketing and inspection. Between Hengelo and Oldenzaal, passengers may travel using the Dutch OV chipcard (within the Netherlands). For cross-border travel from Bad Bentheim onwards, however, passengers must purchase a separate ticket online or in the train. As there is no formal agreement in place between the German and Dutch carriers regarding equipment, Eurobahn staff cannot read Dutch public transport cards or bank cards and are therefore unable to verify whether Dutch travellers have checked in. However, in a legal sense, Eurobahn staff has supervisory competences in Hengelo. In addition to that, the German Bundespolizei occasionally carries out border checks on board the trains operating on this route, and in Bad-Bentheim more specifically.

Enschede – Münster (RB64) or Dortmund (RB51), both via Gronau

The RB64 is operated by DB Regio under a contract (*Verkehrsvertrag*) of NWL (*Nahverkehr Westfalen-Lippe*)– supported by the Province of Overijssel. Other German regions, such as Niedersachsen, may also be involved in connections toward Dortmund. As explained by the representative from the province of Overijssel consulted for this analysis, Dutch OV-chipcards and OVpay are valid between Enschede and Gronau. Passengers may also buy a ticket on board, although policy changes may affect this by next year (as on other lines). Beyond Gronau, passengers require a German ticket. In terms of staff, a *Zugbegleiter* is always present in addition to the train driver. The Twente concession contains arrangements that require Arriva to periodically make FTEs available to conduct joint inspections. As a result, Dutch staff are also authorised to provide enforcement across the border, and vice versa. Staff may also operate up to the border and then return.

Similar to the Hengelo-Bielefeld route, there are limitations with the inspection equipment. It is difficult for a foreign carrier, in this case DB regio, to read Dutch public transport tickets. At the moment, German staff are able to check whether a Dutch passenger has checked in but cannot access additional travel information. This is related to the fact that DB Regio lacks a Translink license, which is the issuer of the Dutch travel card and processor of all Dutch public transport transactions. Several practical workarounds have therefore been developed. For example, German staff can access the Keolis system in a guest capacity, and there is a physical exchange of necessary equipment at the train stop in Gronau.

Wunderline (Groningen-Bremen)

The Wunderline concerns the rail connection between Groningen and Leer, with an envisaged extension to Bremen in the future. Currently the service is suspended, challenged by reconstruction works of the Friesenbrücke. Until the bridge reopens, which is currently expected later in 2026, replacement bus services are running between Groningen and Leer.

The concession is granted to Arriva. Contrary to the tri-country train, there is no cooperation with DB Regio, as Arriva also holds the necessary certificate to act as operator on German territory in operational terms. After the reopening of the line, OVpay will also be valid for cross-border trips. In this respect, the same principles would apply as on the tri-country train: cross-border travellers can check out in

Germany, but it is not allowed to check-in at a German station and check-out at another German station (domestic journey). Arriva will deploy the same staff as on national rail lines, as they currently also hold the concession for the trains in the provinces of Groningen and Friesland. Structural cooperation with (military) police is sought.

Venlo-Düsseldorf (RE13)

The RE13, or the MaasWupper-Express, currently runs from Germany to the Netherlands (Hamm-Hagen-Wuppertal-Düsseldorf-Neuss-Mönchengladbach-Venlo). Originally, the line was operated by Eurobahn, but due to staff shortages, the Dutch Train Charter Services (TCS) are currently operating the service as subcontractor of Eurobahn.²⁷ From December 2026, the concession will be taken over by DB Regio, which also plans to oversee the extension of this line to Eindhoven. In reparation for this transition, attention is being paid to aspects such as cross-border training on, for example, regulations.²⁸

EuroCity (Direct) Rotterdam-Brussels

The EuroCity and EuroCity Direct are joint operations by NMBS and NS. The EuroCity stops more regularly, equipped with an NMBS train, whereas the EuroCity Direct is faster and equipped with a new IC train of NS. There are specific train tickets required for these services which cannot be used interchangeably. Within the Netherlands, passengers may use the OV card for domestic journeys (for instance between Rotterdam and Breda), but not across the border. Instead, there is a specific term for the EuroCity and EuroCity Direct applicable by NMBS.²⁹ The trains are staffed by a mix of NS Reizigers and NMBS, meaning that it could be entirely staffed by NS Reizigers, exclusively by NMBS or a mixed team. Operating with mixed teams has proven to be useful, so that powers can be executed in a comfortable manner during the entire cross-border journey. This was especially mentioned regarding issuing fines.

IV. A roadmap towards possible short, medium and long-term solutions

Overall, this report signals that there are no significant legal barriers in terms of supervising powers on the train. In terms of formal policing powers, there are differences, due to differences in legislation and in operational set-up. Yet, due to the complexity of the tri-country operation, several challenges may appear. These are not strictly legal, but merely operational. To solve these, operational arrangements may be best-suited. We define several possibilities for the short, medium and long-term.

The central conclusion and recommendation is to improve the operational agreements between the relevant stakeholders. More specifically, the idea of mixed teams could be incorporated further. This is not only relevant for the train operators, but also for police, municipal officers and other responsible stakeholders. The recommendations therefore focus on improving operational arrangements, strengthening institutional cooperation and investing in capacity building, meaning that relevant parties know each other better and meet periodically. In general, a clear view on the division of responsibilities could support the work and cooperation. After decentralisation, the relevant partners will change, meaning that NS Reizigers and the NS Regio office will no longer have any involvement in this line. This supports the general idea that the list of relevant partners should be updated once in a while, and agreements should be reevaluated in this light. As concessions and concession holders may change, the relevant partners that need to cooperate can also change over time.

Table 3: Division of responsibilities for the tri-country train³⁰, inspired by the addendum of Oost-OV

Theme	Responsible partners
Social safety train	DB Regio, Arriva, NS Reizigers, NMBS, Police (NL, BE + D)
Social safety vicinity	Municipalities of Maastricht, Heerlen, Police (NL, BE + D)
Social safety station	NS Stations, NS Reizigers, NMBS, Arriva, Municipalities of Maastricht and Heerlen, ProRail, Police (NL)
Monitor experience stations	NS Stations, DB InfraGo

²⁷ <https://www.treinreiziger.nl/nederlandse-tcs-gaat-maas-wupper-express-rijden-vanaf-venlo/>

²⁸ <https://www.railforum.nl/wp-content/uploads/2024/09/03-Presentatie-RE13-7-november-Railforum.pdf?>

²⁹ See: <https://www.b-europe.com/NL/Juridisch/Vervoersvoorwaarden>

³⁰ After decentralisation, NS Reizigers and the NS Regio office are no longer partners.

Cooperation	NS Regio office, ProRail, Province of Limburg, go.Rheinland, FOD Mobiliteit
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Short-term

Development of a common problem statement

It is clear that the idea of 'social safety' is common in the Netherlands, Germany and Belgium and features prominently in public and political debate. Yet, the addendum of East-Netherlands with German partners stresses the relevance and importance of clearly defining the problem in concrete terms. Therefore, as a first step, the relevant stakeholders could develop a shared problem statement and definition. The examples of fare evasion and drugs may also be relevant here. This would contribute to the creation of a common basis for more coordinated (and potentially joint) action. Up to date, rail operators have not signalled major concerns or incidents on the train service. Yet, at political level social safety may have gained more importance as rail in general is confronted with more incidents. Therefore, it could also be the political and policy ambition to foster measures regarding social safety. In this respect, including the numbers of the Dutch (Arriva), Belgian (NMBS) and, if applicable (as Arriva is the operator), German (DB Regio) services as expansion to the current pilot of the sticker in the Arriva trains may be the easiest recommendation. Nevertheless, the processes of handling the incidents should than also be agreed upon in a cross-border manner as well.

Organising stationsschouw actions

During the preparation of this report, consultations were held with a representative of the Province of Overijssel. This consultation highlighted several best practices (two short-term, one medium-term) in this region and in cooperation with Germany that could be relevant for the province of Limburg and the broader operation of the tri-country train. One notable practice is the '**stationsschouw**' concept. This initiative, led by NS, is periodically organised with all stakeholders involved in cross-border transport, including carriers, police services, and municipal authorities from both countries. During a *stationsschouw*, all partners convene in the evening and carry out joint visits to multiple stations along a designated train route. This structure is regarded as highly useful by the transport partners in the region; it enables the involved stakeholders to identify and reach other more efficiently and strengthens personal and institutional connections. Additionally, the insights gained during these visits can result in specific measures or interventions to increase the social safety on and around trains, such as the (temporary) deployment of camera surveillance at specific stations.

Flying brigades or mixed inspection teams

A second good practice identified is the deployment of '**flying brigades**', composed of staff from the involved countries/train carriers. These mixed teams combine staff from both sides of the border, thereby enhancing operational competencies and enabling staff to apply their full range of powers throughout an entire cross-border route. These flying brigades are not a structural measure but a flexible one that can be mobilised as needed, although it does require coordinated planning between the involved authorities and carriers. Routes experiencing higher levels of challenges, such as increased incidents, may benefit from the targeted use of these brigades. The concept could also be applied in a more structural manner, such as with mixed teams as in other cross-border trains. This concept should not only be limited to train operators, but can also be further expanded to police (NL and DE).

Cross-border exchange and capacity building

More generally, it is recommendable to stimulate and facilitate exchanges between the relevant partners for the Tri-Country Train as regularly as possible. At present, stakeholders meet twice a year to discuss the operation of the service, bringing together the responsible Dutch ministry, Arriva, NS Reizigers and the Province of Limburg. The interview with Arriva stressed the importance of addressing the service as one, despite the contractual situation being different. The report noted that although the diversity of partners' competences is shared among several organisations, seeing the service as one would stimulate the train operators to create a better understanding of a joint approach towards (social) safety on the entire journey. Furthermore, initiatives such as 'train the trainer' are a useful basis for improving the mutual understanding of cultural, administrative and legal differences between the three countries and the (currently) four operators concerned. The improvement of cross-border governance and understanding of public transport services across borders could also be placed centrally in the periodic meetings on the Tri-Country Train. Coordination efforts on this matter could possibly also be taken on

board at the Secretariat-General of the Benelux Union, as rail is included in the Benelux agenda and there is also standing cooperation with North-Rhine Westphalia

Medium-term

Cross-border addendum

The addendum to the *Convenant Social Safety Public Transport East-Netherlands* is an example of formal contractual engagement of partners across the border to the Dutch framework of Social Safety. The addendum is specifically targeted at the cross-border train service, with a common understanding of the problem. Even more, it clarifies the division of responsibilities and installs a periodic consultation between partners. This is a best practice, relevant to the case. Currently, the Province of Limburg is working on its new *Convenant Social Safety*. The new version is intended to be open to stakeholders who would like to join. The opening to relevant stakeholders may be an opportunity to contractually align approaches to social safety with partners across the border. Yet, it should be accompanied by practical operational agreements governing the day-to-day cooperation. Relevant partners for the Province are, among others, NS Reizigers (yet), NS Stations, ProRail, DB Regio, Arriva, NMBS, the municipalities concerned and the police of the three countries. Based on these operational arrangements, agreements could for instance be made between staff in the train and other staff at the station or around, for instance when difficulties occur regarding enforcement or issuing fines.

Investigate the Benelux Police Treaty (for Belgium-Netherlands)³¹

Currently, the Benelux Police Treaty does not cover train safety personnel, such as *OV-boa's*. The Benelux Police Treaty is innovative as it grants police officers the right to cross the border and continue, or even start, an intervention on the train. It would be interesting to investigate the option to grant a similar right to safety personnel. This was also raised in an interview with NS.

An option to do so, might be through amending the Annex or the introduction of the general possibility to make Decisions based on the Benelux Police Treaty. Indeed, one of the legal instruments of the Benelux Union is Decisions, that is directly applicable to the Benelux countries. However, Decisions need a general legal basis, such as a Benelux Treaty. Currently, the Benelux Police Treaty does not offer the possibility to conclude a Decision in this respect. It could be interesting to investigate this option together with the Secretariat-General of the Benelux Union and the competent authorities.

Concession requirements

Additional further medium-term solutions identified by the representative of the Province of Overijssel relate to the inclusion of (cross-border) operational arrangements into the concession. An effective solution already in practice is the organisation of occasional **joint inspections** through the cooperation between DB Regio and Arriva, in which Arriva is mandated to periodically **allocates FTEs** to support these operations. In this case, the Dutch staff is also authorised to operate in Germany (and vice versa). This model has been **made mandatory in the Twente concession**. The Province of Overijssel also advised arranging clear practices for (cross-border) ticket and travel card checks into the concession. At present, Dutch travel cards and tickets remain valid up to Gronau, alongside German tickets. As previously noted, German staff can verify whether Dutch passengers are checked in, but no further details. Including clear provisions for **cross-border ticket-checking procedures** in the concession would help standardise these practices and facilitate the work of the train staff. In addition, ticket-checking **equipment** on both sides of the border should offer the same functionality. This would allow staff to carry out checks in a consistent manner, regardless of which country they are operating in, and reduce uncertainty during daily ticket checks.

Long-term

Guideline on cross-border public transport

A general conclusion from the interviews and the study is that there is no general blueprint for cross-border regional train services. Contractual arrangements for cross-border trains are differently organised. Yet, there are some general legal frameworks and recurring questions cross-border train operations are confronted with. To date, there are no guidelines or blueprint available to answer these

³¹ The same recommendation applies to the Treaty of Enschede in the case of the Netherlands and Germany. Even more, other States can also sign the Benelux Police Treaty, so that its scope should not necessarily be limited only to the Benelux area.

questions, neither for cross-border trains nor cross-border public transport more generally. At the EU level, a study of 2021 on providing public transport in cross-border regions exists. The report also provides a toolbox addressing several aspects of cross-border public transport services.³² However, the report does not include the level of detail in legal and administrative differences between Member States as presented in this case.

It would thus be recommendable to formulate a general document supporting cross-border train operations between the Netherlands, Germany and Belgium, outlining the general legal and administrative frameworks to public transport and how it may implicate a cross-border public transport service. This would avoid the same legal and administrative questions having to be studied over again, when amending or exploring new cross-border services.

V. A full list of all laws and executive acts relevant to the case

Belgium

Act of 30 August 2013 establishing the Railway Code. *Wet houdende de Spoorcodex (van 30 augustus 2013)* <https://www.ejustice.just.fgov.be/eli/wet/2013/08/30/2013014641/justel#list-link-1>

Act of 27 April 2018 on the police of the railway. *Wet van 27 april 2018 op de politie van de spoorwegen, Belgisch Staatsblad van 29 mei 2018.* https://etaamb.openjustice.be/nl/wet-van-27-april-2018_n2018012126.html

Germany

General Railway Act of 27 December 1993 (Federal Law Gazette I p. 2378, 2396; 1994 I p. 2439), *Allgemeines Eisenbahngesetz vom 27. Dezember 1993 (BGBl. I S. 2378, 2396; 1994 I S. 2439)*, https://www.gesetze-im-internet.de/aeg_1994/BJNR239600993.html

Railway Construction and Operating Regulations of 8 May 1967 (Federal Law Gazette 1967 II p. 1563), *Eisenbahn-Bau- und Betriebsordnung vom 8. Mai 1967 (BGBl. 1967 II S. 1563)*, <https://www.gesetze-im-internet.de/ebo/BJNR215630967.html>

Railway Transport Regulations of 4 August 2023, Federal Law Gazette 2023, nr. 208, *Eisenbahnverkehrs-Verordnung vom 4. August 2023 (BGBl. 2023 I Nr. 208)*, https://www.gesetze-im-internet.de/evo_2023/BJNR000A0023.html

Law on public transport in North Rhine-Westphalia, *Gesetz über den öffentlichen Personennahverkehr in Nordrhein-Westfalen vom 7. März 1995 (GV. NRW. S. 196)*, <https://recht.nrw.de/lrgv/gesetz/22052026-gesetz-ueber-den-oeffentlichen-personennahverkehr-nordrhein-westfalen/>

The Netherlands

Policy Rules for Extraordinary Investigating Officers, *Beleidsregels Buitengewoon Opsporingsambtenaar, domein IV Openbaar Vervoer*, Staatscourant 2024, 31978. <https://wetten.overheid.nl/BWBR0039766/2026-05-01>

Act Passenger Transport 2000, *Wet Personenvervoer 2000*, Staatsblad 2000, nr. 314, <https://wetten.overheid.nl/BWBR0011470/>

Decision Passenger Transport 2000, *Besluit Personenvervoer 2000*, Staatsblad 2000, nr. 563, <https://wetten.overheid.nl/BWBR0011982/>

Benelux

Treaty between the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands on police cooperation, *Nederlandse Staatscourant* 2022, nr. 28

³² Study on providing public transport in cross-border regions – mapping of existing services and legal obstacles – Toolbox, available at: https://ec.europa.eu/regional_policy/sources/studies/public-transport-cross-border/transport-cross-border-toolbox.pdf