



**COUNCIL OF
THE EUROPEAN UNION**

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From : General Secretariat
To : COREPER/Council

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13796/08 ENFOPOL 181 COMIX 716

Subject : Draft Council Recommendation on improving radio communication between operational units in border areas

The Member States of the European Union have observed that an area of justice, freedom and security cannot be created without strengthening police cooperation in border areas. Strengthening operational cooperation between Member States and strengthening security throughout Europe are priorities of the Czech Presidency.

Modernisation of the radio communication systems used by the law enforcement and public safety services in Europe has led to the emergence of two technical solutions, the TETRA and TETRAPOL digital systems. Unfortunately, in view of future and even, in some areas, present needs, these modern radio communication digital systems cannot meet all requirements. It is therefore necessary to look for a solution that enhances cooperation between police forces in border areas. In this respect, the Presidency prepared a draft Council Recommendation on improving radio communication between operational units in borders areas which was agreed by the Article 36 Committee on 19 May 2009.

COREPER/Council are invited to approve the draft Council Recommendation as set out in annex.

**DRAFT COUNCIL RECOMMENDATION ON IMPROVING RADIO COMMUNICATION
BETWEEN OPERATIONAL UNITS IN BORDER AREAS**

THE COUNCIL OF THE EUROPEAN UNION

RECALLING THAT:

- one of the objectives of the European Union is to strengthen operational cooperation between neighbouring States in order to combat all forms of crime more effectively, thereby participating in the consolidation of the European Union;

WHEREAS:

- Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (the "Prüm" Decision) has entered into force;
- a Council Recommendation on improving communication between operational units in border areas was approved on 24 October 2008 (13796/08 ENFOPOL 181 COMIX 716). This recommendation lists measures designed to promote familiarity with the organisation, language and working procedures of the partner State; however, further cooperation on technical interoperability was considered necessary;
- effective cross-border cooperation requires adequate communication capabilities including interoperable radio communication systems in border areas and between operational services from different Member States;
- the limits on the use of radio communications systems and the interim solutions for their interoperability may often be detrimental to the work of the law enforcement and public safety services, but cross-border communications are still essential for operational units;

- the interim solutions for interoperability used by operational services in border areas are not satisfactory in overcoming these obstacles for mission-critical situations and must therefore be improved;
- difficulties in the use of radio communications in border areas are caused mainly by the lack of interoperable interfaces between current systems, which prohibits effective roaming;
- significant improvement in voice and low-speed data interoperable capability could be achieved by interconnecting systems where possible;
- in the long term, law-enforcement and public-safety radio communication systems will need to support and to be able to exchange high-speed mobile data information; current law-enforcement, public-safety and public networks may not be able to support this;

TAKING THE VIEW THAT:

- a common network standard or standards operating in harmonised frequencies would facilitate fully interoperable communications;
- taking into account investments in existing systems, significant improvement in interoperability in border areas can be achieved as follows:
 - a) in the short term, countries with common borders can work together to improve communications with local solutions;
 - b) in the medium term, current law-enforcement and public-safety mobile communications systems need to be connected to provide a more effective solution for cross-border communications and facilitate roaming;
 - c) in the longer term, a solution for mobile broadband data is required. A common standard operating in a harmonised frequency band will make this possible;

- existing frequency allocations for law-enforcement and public-safety networks may not be sufficient for the development of dedicated infrastructures satisfying operational requirements for high-speed data communication;
- there may be opportunities below 1 GHz. to acquire new harmonised spectrum;
- in discussing possible additional frequencies, account should be taken of the investments in current networks and also of the increased overall demand for radio spectrum and the fact that it is a scarce resource;

RECOMMENDS that

1. intersystem interfaces be developed and encourages the European Commission to provide funding for them;
2. the Electronic Communication Committee (CEPT / ECC) be tasked to study the possibility of obtaining sufficient additional frequency allocation below 1GHz for the development of future law-enforcement and public-safety voice and high-speed data networks;
3. European standardisation bodies be invited to start producing a European standard satisfying law-enforcement and public-safety services' operational requirements regarding high-speed data communication and roaming functionality in the medium term; and
4. in the long term, after the life cycle of current TETRA and TETRAPOL systems has ended, voice and all data functionalities (high and low speed) be integrated in a tightly integrated solution that provides a migration path including interoperability from existing law-enforcement and public-safety systems to the new solution

5. when needed and justified, and taking account of national arrangements for the distribution of spectrum, that Member States allocate additional frequencies at national level in a coordinated timeframe in cooperation with CEPT;
6. that ministries responsible for police and justice be encouraged to contact their counterparts responsible for spectrum policy to ask for their assistance with the above proposal, given the important role of the national frequency administrations;
7. that Member States adopt any appropriate local measures in the short and medium term to improve cross-border cooperation;
8. that Member States establish a group of experts to examine the issues involved in the development of intersystem interfaces, including cost and funding opportunities, and report to the Police Cooperation Working Group in 12 months on the viability of establishing such interfaces between:
 - a) TETRA/TETRA;
 - b) TETRAPOL/TETRAPOL;
 - c) TETRA/TETRAPOL.
