

9865/2/96
REV 2

LIMITE

ENFOPOL 139

NOTE

from : the Police Cooperation Working Party

to : ~~the K.4 Committee~~

No. prev. doc.: 9865/1/96 ENFOPOL 139 REV 1

Subject: Radio Communications – Common European Standard

The above topic has been on the agenda of the Police Cooperation Working Group for some time and has been debated and discussed at regular intervals.

The Presidency, in its workplan, indicated that it wished to make progress on this subject and drafted a document, which is a position paper, for this purpose. The text of this document, with some minor amendments to ensure that references to the ETSI standard are consistent, is attached in Annex I. This text was approved by a majority of the Member States at the Police Cooperation Working Group meeting of 3-4 December. The general view was that there has been sufficient discussion of this matter in the Working Group and that it should now be referred to K.4.

However, France has reservations concerning the text of the Presidency document and has submitted an alternative text, which is appended in Annex II. It was agreed at the December meeting of the Police Cooperation Working Group that the text submitted by France should also be referred to K.4 as France's reservation in the matter.

Following discussion of the above topic at a number of Police Cooperation Working Group meetings, the position at present is as follows:

1. A decision was made by the Schengen group of countries to conduct an experiment, in real conditions, for a pilot TETRA 25 radio communications network, which is currently recognised by ETSI, in order to test the performance and capacity from an operational point of view. The TETRAPOL method would undergo the same practical tests once it has received a European ETSI standard.
2. The Schengen group has indicated that it will keep the Police Cooperation Working Group fully apprised on Schengen developments in this matter. It is noted that the UK and Ireland are the only EU Member States who are neither members of nor applicants for membership of Schengen.
3. ETSI (European Telecommunications Standards Institute) is the accepted body for the setting of telecommunications standards in Europe.
4. The Police Cooperation Working Group has agreed:
 - (i) at its meeting of 23 May 1995, that it would take cognisance of the work of Schengen in this field;
 - (ii) as a goal, that there will be only one common radio communications standard throughout the EU;
 - (iii) that the final decision on the system to be chosen will rest with the Police Cooperation Working Group;
 - (iv) the system to be adopted must first have obtained the ETSI standard;
 - (v) that the Member States which are obliged to build a new radio network before any Schengen tests are completed, shall not be bound to await the outcome of these or any tests, provided that their new radio network operates to a published ETSI standard.

NOTE FROM THE FRENCH DELEGATION

Subject: Proposed revision of ENFOPOL 139 REV 1

As agreed at the meeting of the Police Cooperation Working Party on 12 November 1996, the French delegation submits herewith to the Presidency its comments on ENFOPOL 139 REV 1.

To begin with, it seems necessary to draw attention to the Presidency's original objective when drafting the document, which was to take stock of the situation on radio communications. The objective was to keep all Union Member States informed of the work being carried out on this subject in the Schengen forum, which is responsible for defining a single standard for security forces.

The French delegation had approved the original draft of ENFOPOL 139. However following the Police Cooperation Working Party meeting on 10 October 1996, the Presidency prepared a draft revised version of ENFOPOL 139 in the light of amendments requested by Finland and the United Kingdom. It forwarded the document to France and to a number of other delegations in order to elicit their comments and make a summary of them.

France was grateful to the Presidency for this constructive step and submitted a number of written observations on the draft.

It must be stated that not all the amendments proposed by France were taken into account in ENFOPOL 139 REV 1 as submitted to the Police Cooperation Group on 12 November 1996.

France is therefore submitting a new version, which includes the amendments already transmitted. The modifications are in italics.

The French delegation wishes in particular to draw your attention to the new draft of point 4(v), now *point 5*, to which it attaches considerable importance. It is impossible to allow some countries, in this instance Finland, in the framework of the Police Cooperation Working Party, to make its choice already at this stage, without completely distorting the principles of the debate. Furthermore, on a practical level, the choice today of a system approved by ETSI, i.e. TETRA, for which there is no actual equipment, is hardly realistic. As you are aware, realization of the TETRA standard will not be achieved until 1998, which is incompatible with the urgency argued in the matter.

Text proposed by the French delegation to replace the text in Annex I hereto

Following on discussions held in the framework of the Police Cooperation Group relevant to the above subject, the position is presently as follows:

1. The decision was taken by the member states of Schengen to test, on the ground, a pilot radio communications network, TETRA 25, *recognised by ETSI which is working on its development*, with the objective of establishing its specifications and capacity from an operational point of view. TETRAPOL will be subjected to the same practical tests from the time that it obtains a European quality mark from ETSI.
2. The Schengen group has indicated that it will keep the Police Cooperation Working Party fully informed of progress within SCHENGEN in this matter. It should be noted that only the United Kingdom and Ireland in the EU are not members of or applicants for membership of SCHENGEN.
3. ETSI (European Telecommunications standards Institute) is the recognized organization for the defining of telecommunications standards in Europe. *In May 1996 the TETRAPOL forum initiated a quality seal procedure (P.A.S.) through the ETSI for its TETRAPOL standard. This procedure is presently suspended on a temporary basis (see note from French delegation of 14 November 1996 reference ENFOPOL 186). France wishes to point out, as it has already done in the SCHENGEN group, that it will ask the ETSI to base itself completely on technical criteria in the examination of the request for the TETRAPOL P.A.S.; it will ensure that these criteria are respected.*

4. The Police Cooperation Working Party is in agreement on the following points:
- (i) at its meeting on 23 May 1995 the Working Party agreed that it would take cognisance of the work of SCHENGEN in this field, *and accepted the principle of the inviolability of the achievements of SCHENGEN in the matter (see report in 7705/95 ENFOPOL 48)*;
 - (ii) the objective is to arrive at a common radio communications standard throughout the EU;
 - (iii) the final decision on a choice of system rests with the Police Cooperation Working Party, *while respecting the choices made by SCHENGEN*;
 - (iv) the standard chosen must first have obtained a quality seal from ETSI.
5. *Certain countries which have made known their intention to construct a new network before the SCHENGEN decision is known, do not wish to be required to wait for this. A debate on the substance of this request, which could jeopardize the objective referred to at (ii) above, is necessary in the SCHENGEN framework.*