



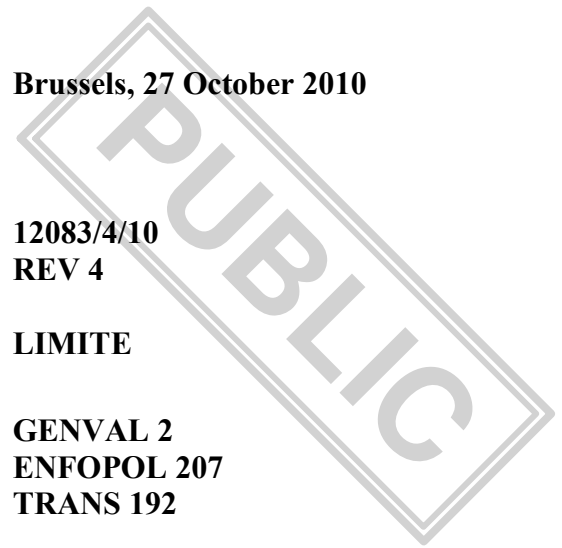
**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 27 October 2010

**12083/4/10
REV 4**

LIMITE

**GENVAL 2
ENFOPOL 207
TRANS 192**



NOTE

from:	Presidency
to:	Delegations
Subject:	Presidency proposal for a Council resolution on <u>preventing and combating road freight crime and providing secure truck parks</u>

Delegations will find attached a revised version of the Presidency proposal for a Council resolution on preventing and combating road freight crime and providing secure truck parks.

This revised version takes into account as far as possible all comments made during the GENVAL meetings of 1 September and 3 October 2010 and the CATS meeting of 25 October 2010. The final version of the LABEL categories is annexed to the Council resolution. This annex is the result of a long-term project “LABEL”, financed by the European Union, in which experts from public authorities and industry and other private actors are involved.

DRAFT COUNCIL RESOLUTION ON PREVENTING AND COMBATING ROAD FREIGHT CRIME AND PROVIDING SECURE TRUCK PARKING AREAS

THE COUNCIL OF THE EUROPEAN UNION,

HAVING REGARD to the work done under the SETPOS and LABEL projects, as instructed by the European Commission's Directorate-General for Mobility and Transport, notably the success of some pilot projects within the SETPOS and LABEL projects, and a number of useful legislative developments in the field of transport, as stated below.

BEARING IN MIND

- Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management;¹
- Regulation No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport;²
- Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers;³
- Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport;
- Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport⁴;

¹ OJ L 319, 29.11.2008, p. 59.

² OJ L 102, 11.4.2006, p. 1.

³ OJ L 226, 10.9.2003, p. 4.

⁴ OJ L 370, 31.12.1985, p. 8.

REFERRING TO the Europol Cargo Theft Report, dating from 2009, describing the current situation on cargo theft in Europe¹.

CONVINCED that one single model agreement for secure truck parks throughout the European Union is preferable to several different national models and that consistency is an advantage, not only for the road haulage industry and insurance companies, but also for the private security industry, as all benefit economically and, most importantly, the former obtains an important safety advantage as well. Convinced that this safety advantage also enhances the social benefits for drivers.

BEARING IN MIND that cargo theft and cargo-related crime are often international activities which do not stop at the national borders of EU Member States.

CONVINCED that the fight against cargo theft has a positive effect on the fight against trafficking in human beings, as well as other road freight crime-related problems that benefit from the same preventive measures.

AWARE of the shared responsibility of private stakeholders (shippers, transport companies, insurance companies, drivers and operators of parking areas) as well as public stakeholders (Ministries of Justice, Internal Affairs, Economic Affairs and Transport) to combat road freight crime.

AWARE of the current differences between Member States regarding public-private partnerships, and the legislation applicable to this.

AWARE of the existing police cooperation between the Member States on cargo theft-related issues.

¹ http://www.europol.europa.eu/publications/Serious_Crime_Overviews/Cargo_Theft_Report.pdf

AWARE of the fact that road signs are regulated by the Vienna Convention on Road Signs and Signals of 1968 (implemented by the UN ECE Consolidated Resolution on road signs and signals)

AWARE of the existing differences between Member States relating to road signage.

AWARE of the importance of data protection and of the existing differences in legislation regarding data protection between the Member States.

CALLS ON the European Commission to continue its efforts to combat cargo-related crime, cargo theft and aggression against professional drivers, notably in the context of the trans-European network policy.

ENCOURAGES the competent authorities of the Member States to set up a national multidisciplinary consultation platform consisting amongst others of the following partners:

- the national organisation representing road haulage organisations;
- the national umbrella organisation for insurance companies;
- the national umbrella organisation for private security companies;
- infrastructure managers;
- national law enforcement authorities;
- the Ministry of Home Affairs;
- the Ministry of Justice
- the Ministry of Transport.

Which aims to prevent and combat road freight-related crime, through, amongst others, the following objectives:

- obtaining a clear picture of the national situation regarding road freight crime;
- motivating all partners of the road transport supply chain to take their responsibility and to foresee all necessary preventive security measures
- exchanging best-practices concerning road transport supply chain security measures
- providing a single point of contact in order to exchange non-operational information between Member States about secured truck parking areas;

- facilitating the establishment of secured truck parking areas, but without establishing legal liability towards these parking areas;
- identifying where parking areas exist today and where black spots occur;
- reaching out to current and future initiatives for secure truck parks by providing them with information on preventing and combating cargo theft and on the current European model agreement for labelling parking areas; and
- ensuring that national models are consistent with the model agreement as described in this document.

ENCOURAGES Member States to set up progressively a model for secure truck parks using the model agreement as set out in Annex 1, or achieving comparable security levels. The ultimate goal is to reduce the amount of cargo theft by promoting the establishment of secure parking areas. Less cargo theft means a more healthy economy, which is advantageous for all the stakeholders involved. Secure parking areas also contribute to the principle of free movement of goods and persons, a principle which is a cornerstone of the European integration process. The use of a single model can result in the establishment of more secure parking areas.

CALLS ON the professional organisations representing the road haulage industry, notably the International Road Transport Union, to play an active role in the follow-up of this model for secure truck parking areas (including possible certification processes, distributing information on secure parking areas to truck drivers, ...)

ENCOURAGES the competent authorities of the Member States to make use of the road sign symbols set out in Annex 2, in order to indicate the level of security of each truck park. Every Member State should be able to implement the symbol in a way that is compatible with its existing (and often characteristic) road signage. If the same symbol is used throughout the European Union, drivers can more easily determine a route using safe resting places, while respecting European and national legislation.

Done at Brussels, ... 20 ...

For the Council

The President

The 5-category model agreement for secure truck parking areas¹

Introduction

The model consists of 5 categories, ranging from the lowest level of security – category 1 - up to the highest level of security – category 5.

This model agreement applies to parking areas where trucks are able to park. This model agreement does not apply to parking areas where trucks are not able or are not allowed to park.

This model agreement applies furthermore to local, regional and national government initiatives as well as to private initiatives; it is consequently irrelevant who has taken the initiative to create the secure truck park.

This model agreement does not take into account whether an entrance ticket must be paid by the user, or not. Theoretically, within the framework of the model agreement, a parking category 1 may be free of charge, and a parking category 5 may be subject to payment, or vice versa.

¹ Between the first version of the model agreement as presented to the GENVAL on 1 September 2010, and this second version as displayed here in this document, some modifications have been made. It was the explicit wish of a certain number of Member States, during the previous GENVAL meeting, to align the five categories fully with the model worked out by the LABEL project under the supervision of the European Commission. Therefore, the Presidency integrated this LABEL model without any fundamental changes into this resolution. The LABEL model has now entered its final stage, and the categories are considered final. The Presidency would like to stress that the 5 categories described by the LABEL project, as reproduced here in this resolution, are the result of detailed research and deliberation, as required in the guidelines of the project set out by the European Commission.

The 5 different types of category will be described in further detail. In addition, a short list of features will be given for each category. Nevertheless, these features are not intended to be 'minimum requirements', but are merely guiding principles taking into account existing national legislation.

All measures taken, regardless of the category concerned, should allow for easy access of emergency services to the parking area.

A good balance between the different categories should however be maintained. This resolution does not interfere with national powers to decide on the number of parking areas.

Detailed description of the categories:

Category 1:

In the first category, some relatively inexpensive measures are taken, such as reducing greenery, ensuring sufficient lighting, etc.

A first requirement is that the site is recognisable as a parking area.

These parking areas are freely accessible to everyone. A passenger car can enter the park as well as a camper van, a van or a truck, etc.

Implementation of the suggested measures should comply with Member States' national legislation.

Features of a secure parking area, category 1:

- *The parking area is accessible to anyone.*
- *A continuous optical separation of the parking area and its surroundings must be in place (fence, alternative barrier, signs, lines or ditch).*

- *Greenery, trees and bushes should not limit social control within the parking area. If necessary, greenery between the road and the parking area should be pruned back, in order to enhance social control as well as to allow the police to survey the entire parking area without necessarily leaving the road.*
- *Sufficient lighting that is clear enough to support possible CCTV and to allow social control within the parking area.*
- *Indication of the most relevant phone numbers (police, fire brigade, first aid, etc.) in several languages (the choice of languages may differ in each Member State).*
- *Site has to be surveilled through regular security checks, in accordance with national legislation.*

Category 2:

Security level 2 adds to level 1 the requirement that the parking area is fenced off or that there is a CCTV system that monitors the perimeter. A sign indicates which vehicles are allowed to park. A CCTV monitors entrances/exits. Security checks are carried out by the parking area staff or a professional organisation.

Implementation of the suggested measures should comply with Member States' national legislation.

Features of a secure parking area, category 2:

- *Only freight vehicles and authorised vehicles are allowed to enter the secure parking area (entrance control or at least signs should make clear that unauthorised entry to the parking area is forbidden).*

- *The parking area is fenced off, alternative barriers prevent easy access from the surrounding area or a CCTV covering the whole perimeter of the site is in place.*
- *The perimeter is well-lit everywhere and at all times. The number and size of bushes and trees within the perimeter area should be kept to a minimum, ensuring visibility of people at all times.*
- *In the event of site surveillance by external patrols, the patrol must be carried out by a professional organisation.*
- *A CCTV system is installed that covers all inbound and outbound traffic at all entrances/exits, ensuring that all vehicles, drivers and pedestrians (if they use the vehicle entry and exit point) are identifiable (CCTV identification view).*
- *Lighting should be installed in the entry and exit areas in order to make it possible to monitor the entry and exit movements at all times.*
- *Digital recordings (at least 25fps) should be in place. The system records either continuously or in motion detection mode.*
- *Access (physical/via network) to the CCTV recording and controlling hardware as well as to the software elements should be strictly controlled. It should not be possible for (security) staff to edit or delete recordings.*
- *CCTV recordings should be stored for a minimum of 30 days, unless the domestic law of the Member State concerned provides otherwise. Furthermore, the storage of images must be adequate (i.e. physically secure and, where applicable, network security as well).*
- *CCTV should be fully functioning with quality images that allow for clear visibility. A preventative maintenance programme should be in place for the CCTV system.*
- *Indication on a road sign of the most relevant phone numbers (police, fire brigade, first aid, etc.) in several languages (the choice of languages may differ in each Member State).*

Category 3:

Security level 3 adds to level 2 the requirement that both a fence and a CCTV system monitoring the perimeter need to be in place. The site is set up for good visibility. Constant measures are taken to keep the fence in good condition. Only truck parking users or staff are allowed access. Implementation of measures should comply with Member States' national legislation.

Features of a secured parking area, category 3:

- *Only users of the truck parking area and truck parking area staff are to be given access to the parking area. This is ensured by entrance control or by signs which make it clear that unauthorised entry of the parking is forbidden.*
- *The parking area is fenced off or surrounded by alternative barriers (e.g. man-high fence, ditch filled with water 1,0 m deep, 1,5 m wide) which prevent or hamper casual entry and intentional unlawful entry.*
- *CCTV system is in place and able to cover the whole fence and ensure that all activities near or at the fence can be clearly recorded (CCTV recording view).*
- *A clear zone, at least on the inner side of the truck parking area, must be kept between the fence/barrier and structures/vehicles/vegetation.*
- *There are secondary physical barriers which are sufficient to protect the fence from unintentional damage.*

- *Category 4:*

Security level 4 adds to level 3 the requirement that on-site or remote staff monitor vehicles and pedestrians in real time. The vehicles and drivers are registered. Guards and staff are trained professionals and their references are checked. They are equipped to be able to react quickly to an alarm situation. Pre-booking is possible. Gates are closed.

Implementation of measures should comply with Member States' national legislation.

Features of a secure parking area, category 4:

- *All entrances/exits must be designed in such a way that they provide a protection level comparable to the physical barrier at the perimeter. Gates must be closed.*
- *At all times, all vehicle entrances/exits are monitored in real time by on-site or remote staff to ensure that only authorised entries/exits are taking place.*
- *At all times, all pedestrians entering or exiting are monitored in real time by on-site or remote staff to ensure that only authorised entries/exits are taking place.*
- *If guards are provided by a security company, they must be regulated/certified by the authorities.*
- *Where a gatehouse is in place to facilitate the duties of staff at the site (e.g. parking registration, communication), it must be constructed in such a way that it protects the staff from an external attack. The door must be closed.*
- *If staff are present on the site, they have to be equipped with a personal distress system which generates an alarm at the (external) control room or to a responsible person on duty who will coordinate the follow-up.*
- *If there are on-site staff, a personal communication system (available and operational at all times) is used between staff and the (external) control room, where on-site staff are deployed.*
- *Remote staff must have received appropriate training, covering, amongst others, entry/exit control and registration procedures, alarm response and communication procedures and confidentiality.*
- *Viewing access is required if staff are carrying out remote control of entry and exit.*

- *The registration procedures cover, at least, the logging of the licence plate number of a truck/tractor and the name/ picture of the driver. The driver and vehicle should be linked and this makes it possible to verify that the driver does not leave with a different vehicle.*
- *When exiting the secure parking area, each vehicle and driver must be checked and registered against the data captured at the entrance to the parking area.*
- *A monitoring procedure for entry/exit movements must be in place.*
- *Records of all entries and exits must be kept for a minimum of 3 months.*
- *Alarm response procedures are in place, understood by all staff and regularly tested. These should cover alarm activations, follow-up activities and procedures. All alarm activations must be documented.*
- *A pre-booking system must be available.*
- *Procedures/ measures must be in place to ensure security contingency in the event of power failure.*

Category 5:

Security level 5 adds to level 4 the particular requirement that the site should be manned 24/7. The identity of all vehicles or persons that enter is verified and logged. The fence is equipped with an anti-intrusion system and protected against a truck intentionally driving through. CCTV covers the entire area of the parking.

Implementation of measures should comply with Member States' national legislation.

Features of a secure parking area, category 5:

- *The parking is separated by a continuous fence (or alternative barriers) which prevents casual entry and intentional unlawful entry or delays entry for the time required for a security intervention. An anti-intrusion system must be in place (i.e. passive infra-red detector (PIR), trembler, electrified topping).*

- *A CCTV system should be installed which covers the whole fence at all times, ensuring that all activities near or at the fence can be clearly recorded (CCTV recording view). A CCTV system must also cover the whole the surface of the parking area (CCTV monitoring view) as well as all driving and pedestrian lanes (CCTV detection view).*
- *There is a secondary physical barrier which covers the whole of the perimeter and which is sufficient to stop a truck driving through the fence (e.g. ditch, natural structures, trees, green field, river, rocks, grass verge).*
- *At all times, all vehicle entrances/exits are verified by on-site trained guards (i.e. dedicated security staff who may be internally or externally employed) to ensure that only authorised entries/exits are taking place.*
- *At all times, all pedestrian entrances/exits are verified by on-site trained guards (i.e. dedicated security staff who may be internally or externally employed) to ensure that only authorised entries/exits are taking place.*
- *The site must be manned 24/7. Guards must be present during opening times, while on-site staff should, at the very least, be present during closing hours.*
- *A gatehouse which facilitates the duties of the security staff (e.g. CCTV monitoring, parking registration, communication) must be available and constructed in such a way that it secures the staff from an external attack (in terms of unauthorised access to the gatehouse). The door must be closed.*
- *The gatehouse must provide the security staff with the ability to monitor the CCTV images.*
- *All security staff must be equipped with a personal distress system which generates an alarm at the local gatehouse and the control room or to a responsible person on duty who will coordinate the follow-up.*
- *A personal communication system (available and operational at all times) is used between security staff and the (external) control room.*
- *Guards and on-site staff must have received appropriate training covering, amongst others, entry/exit control and registration procedures, security patrols, alarm response and communication procedures and confidentiality.*
- *All entry/exit movements must be logged. Similar registration procedures as in category 4 apply to any authorised person entering the truck parking area.*

- *Alarm response procedures must be in place and should cover at least the following: who has to activate the alarm, when the alarm has to be activated, evaluation and follow-up procedures by (external) control room, escalation procedures and contacts (e.g. police). Procedures need to be documented and tested regularly.*
-

