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### 1. **EU-US agreement on transfer of passenger data**

The Court of Justice of the European Community annulled the agreement between the EU and the United States on the transfer of personal passenger data. In two judgements handed down on 30 May, the Court ruled that neither the Council decision approving the conclusion of the agreement (C-317/04), nor the European Commission's decision that the US provided adequate protection of data (C-318/04) were founded on an "appropriate legal basis".

In concrete terms, since the agreement remains applicable for a period of 90 days from notification of its termination by either party, annulling the agreement means that the transfer of personal data of passengers travelling to the United States will have no legal basis after the 30 September 2006. In addition to the particular case of the United States, the entire question of transferring passenger data to other countries for reasons of public safety will have to be rethought.

(Source: *Interel Public Relations & Public Affairs*)

### 2. **Research security funding**

Statewatch (a British-based civil liberties lobby) and the Transnational Institute (TNI) think-tank have published a report entitled «Arming Big Brother», slamming the Commission for proceeding without consulting the European Parliament in the financing of certain security research projects.

The report accuses the Commission of giving the defence industry too big a say in setting EU policy as well as criticising the Advisory Board formed of the 25 member States or so-called “Group of

Personalities (GoP)” that had urged the Commission in 2004 to set up a 1 billion programme from 2007. According to the study, eight of the members «have direct roots in major arms-producing companies».

The organisations are worried about money being spent on surveillance technologies that have uses far beyond combating terrorism. For example, the Commission is already funding the PROBANT project, which aims to enable people inside buildings to be visualised and tracked. Altogether 65 million have been earmarked from the 2004/2005 budgets, of which 30 million have been handed out so far.

Military organisations and defence sector contractors are the main beneficiaries (eg Thales, EADS, Finmeccanica and BAE). The report acknowledges, however, that some of these projects have a legitimate civil objective including those related protection of critical infrastructure.

(Source: *Interel Public Relations & Public Affairs*)

### **3. Update of the situation regarding the private security sector in Ireland: licensing**

Since 1st April 2006 all companies trading in the manned guarding and door supervisors sector must be licensed. The application process is ongoing but some companies have already been refused a license and must close their business or make appropriate changes to conform to licensing Laws. In terms of employee licensing a recent change to the requirements have been announced. The new requirements makes it compulsory for all guarding and door supervising staff to have a formal qualification by December 2007. After that time, a guard cannot work in the industry without a license.

From 1st August 2006 on, all companies trading in Intruder alarms systems must be licensed. December 1st 2006 is expected to be the date on which licensing for Access Control and CCTV systems is open for applications with as close off date 1st August 2007. After this date no company can trade without a licence. The situation with installation staff is a little more fluid and discussions are ongoing as to the requirements for individual licensing. At this time, FAS (one of Ireland's training agencies) runs a 30 weeks traineeship course for intruder alarm installations and this course is being modified to include elements of access control and CCTV. All new entrants coming into the industry will have to pass through the traineeship programme. During 2007 it is expected that FAS will introduce a full 3/4-year apprenticeship programme and this will be the route towards individual licensing. The big questions concerns the many hundreds of people working at present, who may have no formal education other than in-company training. The Security Congress of Ireland and its member associations are actively involved in researching the existing workforce and are working with other stakeholders in the industry to finalise requirements. The date of September 15th 2006 is set for finalising these discussions.

August 1st 2006 is also the deadline for Alarm Receiving Centres. There are no deadlines set with regard to individual licensing for the electronic and monitoring sectors.

A new standard is being finalised for cash in transit and is presently going through a public consultative stage, which should be finalised by the end of September. Once completed, it is anticipated that licensing for the sector will open towards the end of the year.

In terms of the general issues surrounding licensing, Congress is awaiting some investigations where contracts have been awarded to non-licensed companies where licensed companies have tendered. Some of these contracts are in the state or semi-state sector and it is an offence under the Law for any customer to contract a security service with an unlicensed company. Congress is awaiting the outcome of these cases.

(Source: *Security Congress of Ireland - SCI*)

#### **4. Upcoming meeting CoESS Working Committee Maritime Security – 25-26 August, Istanbul**

The WC Maritime Security will hold its next meeting in Istanbul on 25 and 26 August 2006. The two-day meeting will discuss the final drafts prepared by the chairmen of the three subcommittees:

1. Training
2. Coordination & information exchange
3. Code of Practice

Members of this specific WC who wish to participate to the meeting are kindly requested to inform the chairman of the WC, Iskender Targac ([targac@atlas.net.tr](mailto:targac@atlas.net.tr)) of their attendance.

#### **5. Article in “European Voice”: “A safe journey? Eliminating the threat to travellers on public transport from terrorism attacks is an impossible task, but measures are being implemented to minimise the risk.”**

The 11 September 2001 attacks on the US brought an increased security at airports. But the bombings on four Madrid commuter trains in March 2004 and last year’s 7 July bombings on the London Underground and a city bus, have increased the focus on public security on the broader transport network. The debate will forever be dominated by the need to balance protection of the travelling public with their right to travel freely. But there’s one thing most agree on: there is no way the security risk to public transport can be eliminated completely. The Association of Public Transport (UITP), which represents operators, government authorities and research and academic institutions, agrees: “You cannot treat security in public transport the same way you treat aviation. You cannot screen people the same way and there are no seat assignments”.

Preventive measures:

1. Design of the train stations: clean, open spaces where it’s difficult to hide items, and broader corridors
2. Surveillance cameras

3. Security staff and other people at transport stations can play an important role. Security staff could change their pattern of when and where they patrol, increase their numbers and deploy sniffer dogs

On 17 November 2005, the European Commission presented its Green Paper on the key issues of the European Programme for Critical Infrastructure Protection (EPCIP - [http://eur-lex.europa.eu/LexUriServ/site/en/com/2005/com2005\\_0576en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2005/com2005_0576en01.pdf)), which involves public transport, and in the autumn the EC will release a policy paper setting down where changes are needed.

(Source: *European Voice* – 27 July – 2 August 2006, page 21)

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