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Improving passenger railway security

> Fields marked with * are mandatory.

Introduction

 Terrorist attacks in the European Union have over recent years shown a greater focus on attacking public areas, where crowds of people with little or no protection can be killed or injured. In line with President Juncker's address on the State of the Union, the Commission adopted a package of measures on counter-terrorism on 18 October 2017, which announced concrete measures to enhance the protection of public spaces, including rail transport. The need for a common risk assessment for public areas has also been highlighted in the 2016 Commission Communication on the European Agenda on Security and in several European Council conclusions.

While EU legislation to protect aviation and maritime transport is relatively developed, there are no corresponding measures at EU level on rail security. In responding to the heightened level of terror threat to transport and specifically rail networks, some Member States have strengthened their national security measures to protect rail transport, but this has been carried out in a largely fragmented and uncoordinated way. While these national initiatives can be welcomed as a pro-active response from Member States, these actions have highlighted the issue of coordination and achieving optimal efficiency while preserving the open character and accessibility of rail transport.

The Commission is therefore considering measures to improve passenger rail security.

Objective of this questionnaire

 This questionnaire will help the Commission to examine which actions at EU level would ensure consistency of rail security measures carried out by the Member States, increase the level of protection of rail passengers and rail staff against terrorist acts and serious crimes.

The online consultation will be open from 7 December 2017 until 15 February 2018.

The questionnaire has the following parts:

 - Respondent profile

 - Problem definition

 - Need to act at EU level

 - Scope of a possible action at EU level

 - Possible measures and their impacts:

a) Understanding the threat to passenger rail

b) Adequate response to the threat

c) Consistency of mitigation measures put in place by the Member States

d) Coordination mechanism to address trans-border effects

Transparency and confidentiality

Please note that contributions received from this survey, together with the identity of the contributor, will be published on the European Commission's website, unless the contributor objects to publication of the personal information. In this case, the contribution will be published in anonymous form.
Explanations about the protection of personal data are available on: http://ec.europa.eu/geninfo /legal_notices_en.htm#personaldata
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Note that, whatever option chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N° 1049/2001.

Your replies...

- ⦿ can be published with your personal information (I consent the publication of all information in my contribution in whole or in part including my name or my organisation's name, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)

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About the respondent

*1. Your first name
200 character(s) maximum

> Rian

*2. Your last name
200 character(s) maximum

> van der Borgt

*3. Your e-mail address

rian.vanderborgt@epf.eu

*4. Are you replying as/on behalf of:
- ○ A citizen
- ● An association of rail users
- ○ Other Non-Governmental Organisation
- ○ A railway operating company/association
- ○ A railway infrastructure manager/association
- ○ A station manager/association
- ○ A rail transport worker/association
- ○ A technology provider/association
- ○ A transport authority in a Member State
- ○ A law enforcement authority in a Member State
- ○ Another national authority
- ○ A research institute/association
- ○ Other

*6. Please provide, if applicable, the name of the entity on whose behalf you are replying:
200 character(s) maximum

European Passengers' Federation

* 7. Is the entity on whose behalf you are replying registered in the EU Transparency Register?
If your organisation is not registered, we invite you to register, although it is not compulsory to be registered to reply to this consultation.
- ● Yes
- ○ No

*7.a. If so, please indicate the registration number in the Transparency Register:
30 character(s) maximum

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*8. Please indicate your country of residence, or if you reply on behalf of an entity, the country where it has its headquarters/place of establishment.
- ○ Austria
- ● Belgium
- ○ Bulgaria
- ○ Croatia
- ○ Cyprus
- ○ Czech Republic
- ○ Denmark
- ○ Estonia
- ○ Finland
- ○ France

- ◉ Germany
- ◉ Greece
- ◉ Hungary
- ◉ Ireland
- ◉ Italy
- ◉ Latvia
- ◉ Lithuania
- ◉ Luxembourg
- ◉ Malta
- ◉ Netherlands
- ◉ Poland
- ◉ Portugal
- ◉ Romania
- ◉ Slovak Republic
- ◉ Slovenia
- ◉ Spain
- ◉ Sweden
- ◉ United Kingdom
- ◉ Other

Problem definition

The problem that the initiative aims to tackle is the increasing risk of harm to rail passengers due to terrorist attacks. Given the number of stakeholders who have to act to prevent or react to terrorist incidents, the difference in the perception of risks across the Member States and the openness and interconnectivity of the rail network, the coordination at European level is often very challenging, and can lead to an insufficient level of protection across the EU. The majority of Member States view their rail networks as largely a domestic issue with recourse to ad-hoc bilateral discussions with neighbouring States concerning cross border services. However this has allowed gaps to develop in coordination on security matters.

This increasing potential risk of harm to people also reduces the attractiveness of rail services and undermines the competitiveness of rail travel relative to other modes. The development of rail services across the EU is a key element in the creation of a single European railway area and contributes more generally to the deepening of the single market.

Moreover, individual Member State initiatives to increase security on specific rail services without coordination with the EU and other States could in some cases be perceived to have a discriminatory effect on some operators and also create new obstacles for the liberalisation of the rail sector as foreseen by the recent 4th rail package.

9. Do you think there is sufficient co-ordination between Member States to ensure the security of rail passengers?

- ◉ Yes
- ◉ Yes, but could be improved
- ◉ No
- ◉ No opinion

9.a. Please elaborate on your answer:

2000 character(s) maximum

Insufficient coordination between Member States(MS) accentuates risks to people using and working on the passenger railway and to travellers more generally:

•Security agencies can be reluctant to share sensitive information multilaterally. Their activity and working relationships are often subject to sovereign sensitivities.

•Weakness of the security regime in some MS may deflect attacks to their territory from those MS with stronger security regimes.

•The security expertise variance and insufficient best practice sharing between MS may expose travellers to additional risks. The street-level entry and egress concentration at Brussels Midi on a single station entrance caused pedestrian congestion and large crowds, creating a point of high vulnerability. The baggage scanning point at the platforms 7&8 entrance at Paris Gare du Nord caused lots of Thalys passengers to congregate on the station lawn, an area exposed to easy and difficult to control access from the street, metro, RER and other platforms. In both cases, lots of people were exposed to potential effects of an attack, e.g. by a marauding shooter or using an explosive device concealed in passenger luggage.

•Security agencies should be encouraged to form an informed, proportionate, risk-assessment-based view of the effects of their possible interventions and to share their findings. Security measures that increase end-to-end journey times for trips involving rail may shift passengers to other less safe modes or modes where incident management and mitigation measures are less easily applied. The proportionality principle suggests that an assessment needs to be made of the relative returns on investment of €x of security measures and of safety measures, e.g. their comparative impact in terms of reduced deaths and injuries of investment in preventative security measures, such as baggage screening and of level crossing safety measures, currently the largest single cause of death and injury on the rail network.

10. What are your views on the importance of the following possible causes to the problem which is that there is an "increasing risk of harm to rail passengers across the European rail network":

	Very important	Fairly Important	Important	Slightly important	Not at all important	No opinion
The understanding of the security threat is insufficient	●	○	○	○	○	○
The response to the threat across the European rail network as a whole is inadequate	●	○	○	○	○	○
The approaches to the mitigation of security risks are different among rail industry decision-makers	●	○	○	○	○	○
Security arrangements and responsibilities are fragmented and incomplete on international services	●	○	○	○	○	○

10.a. Please feel free to elaborate on your answers and to suggest another explanation to the problem:

2000 character(s) maximum

> An increasing risk of harm to passengers may be caused by the deflection of attempted attacks from one highly-secured type of service (e.g. international high speed rail) to another less easily secured type of service (e.g. metro) or from an attack on well-secured terminals and trains to un-secured infrastructure installations (e.g. switches in remoter areas) or to other modes (e.g. attacks on crowds using road vehicles).

The need for EU measures

This initiative is aimed to complement existing EU security requirements for the protection of international air and maritime transport passengers by ensuring that international rail passenger are also protected to a proportionate level.

Security requirements imposed at the national level by Member States do not adequately enable the security of cross-border journeys to be treated as effectively as a single journey where two or more jurisdictions are crossed with different approaches to security protection and incident response and inadequate coordination mechanisms. There is also a need for competition reasons, to subject all EU transport operators to provide equivalent levels of security for all segments of an international (intra-EU) journey, subject to an appropriate risk assessment using a common methodology. The most appropriate level to address the identified problems is therefore at EU level in order to ensure a commensurate level of security protection across all Member States.

11. Do you think that measures adopted at EU level are justified? Do you see other reasons to act/or not to act at European level?

> Mobility is increasingly seen as the fourth freedom and essential to enabling the competitiveness for more growth and jobs identified at the core of the Juncker Commission's ten priorities for the EU institutions. The measures adopted at EU level are justified in this context if no other. Member States have neither the competence nor the political will to achieve a secure European transport network through unilateral initiatives.

Scope of the action at European level

On initial consideration an EU intervention should be limited in scope to only international rail services crossing one or more EU Member States rather than domestic national or local rail services. However the majority of international passenger rail services are fully integrated into the European railway network with other types of passenger rail services. It is not possible to easily segregate international passengers at all railway stations without incurring high disproportionate costs of adapting the infrastructure. It is also the case that the existing security threat affects all types of passenger railway services and that a holistic security response is preferable.

12. Do you think that an intervention at EU level is appropriate for the following services?

	Not appropriate	No opinion	Appropriate
International services (crossing one or more borders)	○	○	◉

National services (long distance domestic rail services	○	○	◉
Local services (short distance urban and rural areas)	○	○	◉

12.a. Please add your comments/explanations on the costs and benefits for you/ your associated organisation with regard to the different types of rail services (set out above):

5000 character(s) maximum

> Transport generally, and the rail network in particular, is most usefully regarded as a system. It does not make sense to attempt to differentiate between international services and other types of service when considering security responses. Tightening the security arrangements for one part of the system may increase the threats to other parts of the system. The French TGV network is internationally iconic and, as such, may be a target for terrorist attention. But so are the London Underground and the steam railways of the Harz.

Possible measures and their impacts

a) Understanding the threat to passenger rail

The following measures aim at improving the understanding of the security threat by all interested parties, and to harmonise the reporting and sharing of data:

Collect and share information on rail security incidents and counter-measures: This measure would address the insufficient sharing of information between different public and private actors within the EU rail sector.

Implement a common methodology for assessing risk: Risk assessments examine possible risk situations and potential terrorist modi operandi and subject them to a threat, consequences and vulnerability analysis in order to identify proportional mitigation measures.

Involve the passengers and promote security awareness for international travellers: Provide easy ways for passengers to inform the company about incidents or suspicious behaviour, e.g. through an emergency call number, with information provision available in different languages.

13. To what extent should the following measures be coordinated at European level?

	No need for coordination at EU level	Need for minimum coordination at EU level	Need for close & continuous coordination at EU level	No opinion
Collect and share information on rail security incidents and counter-measures	○	○	◉	○
Implement a common methodology for assessing risk	○	○	◉	○

Involve the passengers and promote security awareness for international travellers	○	○	◉	○

13.a. Please add your comments/explanations regarding expected costs and benefits for you/your organisation associated to the different measures:

5000 character(s) maximum

> We would also add the potential importance of the exchange of best practice and ensuring mutual support in the provision of specialist expertise, including in particular, the management and mitigation of attacks through effective response and operational recovery measures.

b) Adequate response to the threat

The following measures would encourage better consideration of aspects related to the European dimension of the problem and encourage a convergence of the measures adopted at national level:

Reinforce cooperation between the police and railway companies: A formalised international mechanism for cooperation between the law enforcement authorities and the interested parties (rail undertakings, station and infrastructure managers) would ensure that protection would take into account the specificity of the sector and be proportionate.

Make an inventory of best practices: Establish for the Member States and the rail companies an inventory of the best security practices at European level, using an agreed objective methodology, without imposing particular solutions.

Develop risk management plans covering protective security and operational recovery measures for rail: Member States could be required to develop national risk management processes including notably holistic security plans for stations serving international rail passengers which contain proportionate protective security measures for the whole station and also set out the steps to be taken to manage a security incident affecting an international passenger rail service.

14. To what extent should the following measures be coordinated at European level?

	No need for coordination at EU level	Need for minimum coordination at EU level	Need for close & continuous coordination at EU level	No opinion
Reinforce cooperation between the police and railway companies	○	○	◉	○
Make an inventory of best practices	○	○	◉	○

Develop risk management plans for rail security	○	○	◉	○

14.a. Please add your comments/explanations regarding expected costs and benefits for you/your organisation associated to the different measures:

5000 character(s) maximum

> It is assumed that the reinforcement of cooperation between the police and railway companies also includes engagement with the security agencies and, importantly in relation to effective response and operational recovery, the emergency services. (The annual BINAT exercises mounted by Eurotunnel provide clear evidence of the value and challenges of binational, multi-agency exercises.)

c) Consistency of mitigation measures put in place by the Member States

The following measures would aim to encourage the implementation of harmonised basic measures in the sense that it brings European added value.

Staff scrutiny and training: All staff should be subject to adequate scrutiny and training for all staff would be provided to improve the preparedness of the operators to prevent and respond positively, should an incident occur. All training records should be made and kept.

Improve station and train security design: Security by design would be installed as a standard to mitigate the effects of an attack, e.g. explosion, shooting or an attack with a vehicle.

Wider use of security technologies and customised security processes: Technology and security services would be increasingly used to counter terrorism, notably in the field of detection and monitoring of potential threats to rail Information systems (messages to and from passengers) and resilience of equipment and infrastructure.

15. To what extent should the following measures be coordinated at European level?

	No need for coordination at EU level	Need for minimum coordination at EU level	Need for close & continuous coordination at EU level	No opinion
Staff scrutiny and training	○	○	◉	○
Improve station and train security design	○	○	◉	○
Wider use of security technologies	○	○	◉	○

15.a. Please add your comments/explanations regarding expected costs and benefits for you/your organisation associated to the different measures:

5000 character(s) maximum

We would add to this the importance of EU-level sponsored research and innovation projects in this area, selected to reflect an understanding developed at EU level, but drawing on the knowledge and concerns of national and local authorities as well as of that of the security industry. We see this as a way of developing a common security culture throughout the EU, under-pinning the spread of best practice and state-of-the-art knowledge whilst, by spreading and sharing the costs, ensuring that access to it can be shared throughout the Union.

d) Coordination mechanism to address trans-border effects

The following measures could be implemented to reduce the fragmentation of security arrangements and responsibilities and coordinate security measures on international rail services:

Ensure consistency of controls: Equal or at least equivalent security controls would be established at all stations serving an international line to prevent weaknesses in the security chain. This measure could include a robust system for cross-border cooperation after a security incident on an international train. Solutions to specific coordination issue such as the need to allow, staff with security responsibilities to act effectively to reduce security risks along the entire length of an international journey could be examined.

Set up a European rail security coordination body with focal points from the Member States: Rail security Focal Points would be appointed in the Member States to be informed and find solutions to issues requiring coordination at European level and address all issues of common interest in the area of rail security. This would not interfere with the organisation of rail security at national level notably in case of events.

Organise common security exercises: The training of railway staff would be strengthened to help them better deal with terrorist incidents with a cross-border dimension by participating in exercises organised jointly by neighbouring countries with cross-border rail services involving where appropriate EU specialised bodies such as RAILPOL and Atlas.

16. To what extent should the following measures be coordinated at European level?

	No need for coordination at EU level	Need for minimum coordination at EU level	Need for close & continuous coordination at EU level	No opinion
Ensure consistency of controls	○	○	◉	○
Set up a European rail security coordination body with focal points from the Member States	○	○	◉	○
Organise common security exercises	○	○	◉	○

16.a. Please add your comments/explanations regarding expected costs and benefits for you/your organisation associated to the different measures:

5000 character(s) maximum

> Passengers benefit from a security environment which is secured by measures that are proportionate and based on careful risk-assessment with a focus on mitigation and operational recovery. We know from research conducted as part of the British National Passenger Survey in the wake of the 7/7 attacks on the London public transport system that passengers expect to be kept safe and secure when using the network but that they also resent being inconvenienced by measures that intrude on their travelling arrangements and which, once normality has returned in the aftermath of an incident, they would regard as unnecessary.

Document upload and final comments

17. Please upload any document (supporting documents, position papers, data on cost and benefits) which could be of further help to the assessment of rail security measures at European level.

The maximum file size is 1 MB

18. If you wish to add further information within the scope of this questionnaire, please do so here:

2000 character(s) maximum

Useful links

Consultation page (https://ec.europa.eu/info/consultations/improving-passenger-railway-security)

Contact

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