

Empfehlung: Antwortvorlage zur „Consultation on an Industrial Policy for the Security Industry“ (mit deutschen Kommentaren)

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- Beispielsammlungen sind keinesfalls vollständig und können gern ergänzt werden.

1 Respondent profile

2 MARKET FRAGMENTATION

2.1.1 Certification / conformity assessment procedures

Do you agree that the lack of harmonised certification / conformity assessment procedures for security technologies affects the market fragmentation?

Auswahl 3

2.1.2 On a level of 1 to 4, which of the policy options described below do you think is most effective and realistic to reduce market fragmentation?

Option 1: Bewertung 1

Option 2: Bewertung 3

Option 3: Bewertung 4

Comments/other options:

To recognise the efforts made by the industry and others to establish a new pan-European certification system for security products, systems and services endorsed by the European cooperation for Accreditation and built around existing accredited conformity assessment bodies. The development of a pan-European certification scheme should be based on harmonized European standards, where certificates are accepted European wide without national barriers. EU therefore should remove these obstacles and support one European certification scheme with no competing national schemes or additional national requirements.

Hintergrundinformation:

*Die in der Verordnung EG 765/2008 bereits für die Akkreditierung umgesetzte Vereinheitlichung für Europa sollte für die Zertifizierung auch umgesetzt werden: Ein gegenseitig anerkanntes einheitliches Zertifizierungsprogramm in allen Mitgliedstaaten.
One Stop Testing – One Stop Certification*

2.1.3 Please specify for which products, technologies and/or systems you experienced problems due to national certification / conformity assessment procedures?

1. Products, systems and services in the Fire Detection
2. Fire Alarm, Intruder & Hold-up alarm,
3. Closed Circuit Television and Access Control areas
4. Physical access and identity of workers at airports and seaports (Schengen border)
5. e-Gates at airports (focus airport hubs); various implementations, like in SCHIPOL, CDG, FRAPORT, HEATHROW, FARO etc.
6. e-Ticketing in Public Transport; various implementation in Paris, London, Rom, Milan, Stockholm, Netherlands, Madrid etc.
7. e-Vehicle Registration along EU recommendation 2003/127/EC; four implementations in Europe (Netherlands, Serbia, Austria, Slovakia)
8. e-Driving License; 3 feasibility tests are done (Netherlands, UK, France)
9. Physical Access to Critical Infrastructure; missing standard and recommendation
10. e-Metering systems; missing standard and recommendation
11. e-Asylum seeker identity; missing standard and recommendation
12. e-Emergency data and token in Europe; missing standard and recommendation
13. Secure ICT infrastructure in the public domain and in critical infrastructure; missing standard and recommendation
14. Physical and logical access of government employees; various implementation in Germany, Netherlands, Italy, Spain
15. Electronic toll collection on highways; various implementation in Swiss, Germany, Lichtenstein
16. Identity of professional service provider (e.g. health professional service); various implementations in Slovenia, France, Italy, Swiss, Spain, UK etc.
17. e-Government services; various implementations, like in Serbia, Germany, Italy, Spain, Portugal, Sweden, Swiss, Belgium, Finland, Ireland, Austria etc.
18. e-Health services; various implementations, like Slovenia, UK, Spain, France, Italy, Germany, Belgium, Austria etc.
19. Physical access in fun lines (e.g. ski arena, soccer stadium); various implementations in the European alps and various implementation in the big stadiums
20. Mobile communication systems for remote control of ICT systems; missing standard and recommendation
21. Mobile terminals for border control (e.g. in pan-European trains), missing standard and recommendation
22. Mobile payment, e.g. based on NFC Cell Phone; missing standard and recommendation
23. Many others

Aviation Security equipment is an example for beginning improvements due to standardization: Security checks of check-in bags are done via automatic inspection scanners. Basic functionality was defined in the past by an ECAC taskforce, additional functionality was requested by a few European National Institutions. A new detection classification into Standard 1 – 3 (EC 1448/2005) has been established which is valid in Europe, four labs in different countries certify against these standards. This is a significant advantage, once a system has passed the test it can be installed within EU, even if – theoretically - additional features could be required. Furthermore, the requirements defined for future applications establish a clear roadmap.

In contrast to a clear situation for bags air cargo is not standardized. Apart from secure transportation to the airport there is no consensus on how to scan cargo in an airport (or at a forwarder location) and which measures are sufficient or not. It would be desirable if both, processes for cargo scanning as well as equipment to be used would be clearly defined and the appropriate certification process would be established. For the equipment a roadmap as given for baggage screening would be helpful as well as quality standards to set reasonable hurdles in this security relevant activity.

To avoid global discrepancies it would be very helpful if these standards could be consolidated with US standards which are strong and create a by far less fragmented market within US.

2.2.1 Standardisation

Do you agree that the lack of EU wide standards for security affects the market fragmentation?

Bewertung: 4

Hintergrundinformation:

Die Wirkung von harmonisierten Normen sollte zur Harmonisierung des Marktes führen, d. h. hohe Beeinflussung des Marktes durch Normen.

2.2.2 On a level of 1 to 4, which of these options do you think is most effective and realistic to reduce market fragmentation?

Option 1: Bewertung 3

Option 2: Bewertung 1

Option 3: Bewertung 3

Comments/other options:

The efficiency and speed of these processes should be given high priority and should be based on the needs of industry. A main focus should be placed on the export potential of the EU in order to keep up with the global market (reaction to competitors outside Europe).

An essential factor for the quick, purposeful development of European Standards is the commitment of interested stakeholders to participate actively in standardization.

Mandate M/487 "Study to analyse the current standardisation 'landscape' in the field of security standards and the development of a proposed work programme, taking into account existing national, European and International Standards" supports option 3

Hintergrundinformation:

Das vorhandene Modell der europäischen Erarbeitung von Normen durch die Wirtschaft in den Europäischen Normungsorganisationen (ESO) über das nationale Delegationsprinzip sollte beibehalten werden. Dabei vergibt die EU über Normungsmandate Aufträge an die ESOs zur Erarbeitung von markterforderlichen Normen und die ESOs stellen die europäische Harmonisierung sicher. (Option 1 und 3)

Eine Erarbeitung von Normen ohne Einbindung von ESOs und eine gezielte Mandatierung erschwert die Harmonisierung. (Option 2)

2.3 Please specify for which products / technologies and/or systems would you consider EU-wide standards are most needed to overcome market fragmentation?

Currently needed:

1. Crisis management system to capture pan-European programs; tools, procedures and central control systems

2. Professional services provider with services cross border (this is possible since 1st of May 2011). Focus on certification of the professional and skills.
3. All other example as mentioned in 2.1.3
4. Fire Alarm Control Panel (in Fire alarm systems)
5. Maintenance of Fire alarm systems
6. Public warning
7. Mass evacuation

Best practice examples: harmonized standards

1. EN 54-series *Fire detection and fire alarm systems*
2. EN 12094-series *Fixed firefighting systems*

2.4 Do you consider it useful to include a possible certification assessment procedure not only products but also systems and processes?

A multiple-stage certification scheme should be proposed to ensure procedures are as uncomplicated as necessary.

Certification schemes should be based on existing structures. The integration of products, services and systems would create added value. Certification schemes should have an additive modular structure.

There could be an overall structure covering the certification of management systems (e.g. ISO 9000), which is already accepted worldwide. This overall structure would then be supported by branch-specific system certification (e.g. ISO/IEC 27001, BSI security standards, ISO 28000). The third step would involve including certification to product standards and services standards.

Hintergrundinformation:

Grundlage hierfür sind die Ergebnisse aus dem Workshop am 11. Januar 2011 im DIN zur Zertifizierung in der Sicherheitswirtschaft. Bericht siehe www.sicherheitswirtschaft.din.de => Aktuelles.

2.5 Do you recommend any additional measures that would effectively tackle market fragmentation?

The entire civil security sector is very close to the regulated market, making the integration of public regulators (e.g. the EU, its Member States) necessary. Governmental interests and regulations should be discussed with industry actors in order to set up any necessary regulatory framework.

2.6 Do you consider that action by the EU would be necessary to reduce the market fragmentation?

YES – in line with 2.1.2

Comment:

establishing new pan-European EA-endorsed certification system for security products, systems and services

3 FRAGILE INDUSTRIAL BASE

3.1.1 Do you agree that the EU security industrial base is fragile?

Bewertung 3

Hintergrundinformation:

Wir empfehlen, diese suggerierte Schwäche der Sicherheitsindustrie zu bejahen. Damit fordern wir die Kommission auf, Unterstützung für den europäischen Sicherheitsmarkt zu leisten. Etliche Weltmarktführer in den verschiedenen Segmenten des Sicherheitsmarktes sind allerdings europäische Unternehmen, die keineswegs schwach sind.

3.1.2 Please elaborate on what this fragility of the industrial base consists of in your view; fragile in terms of:

— Third country competition – Bewertung 4

Development of state of the art technologies – Bewertung 4

Access to finance – Bewertung 4

Dependence from the primes – Bewertung: do not know

Übersetzungsinformation:

"primes" sind große Auftraggeber im Verteidigungsbereich (z.B. EADS). Dieser Begriff wird vor allem im Militärbereich benutzt.

Comments/other options:

— Market fragmentation leads to smaller sales and procurement markets and results in high cost structures. Within a harmonised market larger quantities could lead to better cost recovery in procurement and sales. - FINANCIALLY VIABLE security

Hintergrundinformation:

Die ECORYS-Studie (Study on the Competitiveness of the EU security industry - Within the Framework Contract for Sectoral Competitiveness Studies – ENTR/06/054 - Final Report - Brussels, 15 November 2009) stellt eine wirtschaftliche Analyse der Sicherheitsindustrie auf EU-Ebene vor und belegt, dass in der Wettbewerbsbetrachtung zu Drittländern die Europäische Sicherheitsindustrie Defizite aufweist. Die Anwendung von innovativen Technologien und Umsetzung am Markt ist deutlich langsamer als z. B. in den USA. Hieraus resultiert auch die Forderung nach optimierter Finanzierung für den Test innovativer Technologien und den Technologietransfer aus F&E in den Markt.

http://ec.europa.eu/enterprise/policies/security/files/study_on_the_competitiveness_of_the_eu_security_industry_en.pdf

3.2 PRE COMMERCIAL PROCUREMENT

On a level of 1 to 4, which of these options do you think is most effective and realistic to reduce market fragmentation?

Option 1: Bewertung 1

Option 2: Bewertung 2

Option 3: Bewertung 4

Hintergrundinformation:

Pre-commercial procurement (vorwettbewerbliche Beschaffung) würde zu einer frühzeitigen Innovationsunterstützung führen. Schwierigkeit hierbei ist die Betrachtung von Haftungsfragen bei innovativen Produkten. Eine bessere Finanzierung für die Prüfung innovativer Produkte und für den Technologietransfer ist erforderlich.

CIP (Competitiveness and Innovation Programme: http://ec.europa.eu/cip/index_de.htm) fördert unabhängig von thematischen Calls Unterstützungs- und Verbundaktivitäten und enthält u. a. ein Programm zur Unterstützung der Politik für Informations- und Kommunikationstechnologien (IKT-Förderprogramm) in dem Aktivitäten finanziert werden, die einen „Europäischen Mehrwert“ enthalten, hierzu gehören Pilot- und Marktumsetzungsprojekte sowie Maßnahmen zum Austausch bewährter Praktiken und zur Vernetzung. In Deutschland sind durch die Subsidiarität die Länder die Hauptbeschaffer, die Definition des pre-commercial procurement ist im Bund noch weit gefasst.

3.3 DEFENCE AND SECURITY PROCUREMENT

Indicate on a level of 1 to 4 which of the policy options is most effective and realistic to reduce market fragmentation:

— Option 1: Bewertung 2
Option 2: Bewertung “do not know”

Comments/other option:

From the point of view of the procurer Option 2 is to be given preference because pooling investment resources and achieving interoperability and economies of scale will lead to a “financially viable security”.

Hintergrundinformation:

— *Die Richtlinie für Beschaffung im Verteidigungswesen (Option 1) wird in der öffentlichen Beschaffung 2011 umgesetzt und enthält Vorgaben zu Verhandlungsverfahren, Informations- und Versorgungssicherheit. F&E ist ausgenommen. Die Richtlinie bietet einen ersten Ansatz. Da aus der Formulierung der Optionen nicht deutlich hervorgeht, ob die beiden Optionen ergänzend oder komplementär betrachtet werden, erfolgt die Bewertung von Option 2 mit „do not know“. Für den zivilen Beschaffungsmarkt ist Option 2 äußerst sinnvoll.*

3.4 SYNERGIES BETWEEN CIVIL AND DEFENCE TECHNOLOGIES

On a level of 1 to 4, which of these options do you think is most effective and realistic to reduce market fragmentation?

— Option 1: Bewertung 1
Option 2: Bewertung 1
Option 3: Bewertung 1

Hintergrundinformation:

Ein zivil-militärisches Forschungsprogramm ist nicht sinnvoll, um die Finanzierung von militärischen Projekten aus zivilen Mitteln zu vermeiden. Die Nutzung von Synergien ist zu begrüßen, z. B. die Verwendung des Galileo-Programms für zivile und militärische Zwecke.

Option 2 wird von **EADS Cassidian** mit 3 bewertet: *EADS has welcomed and supported the European Framework Cooperation (EFC) that has been created to systematically synchronize the R&T investment under the EDA umbrella, the European Space Agency and the European Commission. We believe that EFC is a good initiative to maximize complementarities of civilian security, space and defence-related research programmes and strongly support its extension and further development beyond FP7.*

3.5 INTERNATIONAL MARKETS

On a level of 1 to 4, which of these options do you think is most effective and realistic to reduce market fragmentation?

- Option 1: Bewertung 1
- Option 2: Bewertung 4
- Option 3: Bewertung 3

Comment/other options:

A mutually recognized single certification scheme with one harmonized label in all Member States with the withdrawal of all national marks would allow the European security industry to present a united front on the global market. => One Stop Testing – One Stop Certification

Hintergrundinformation:

Die MITTEILUNG DER KOMMISSION - Handel, Wachstum und Weltgeschehen - KOM(2010) 612 enthält Maßnahmen zur Öffnung der Auslandsmärkte und Abbau von Regulierungsbarrieren. Im Workshop vom 11. Januar 2011 im DIN wurde verdeutlicht, dass eine Positionierung im internationalen Wettbewerb angestrebt werden sollte.

Mit einem gemeinsamen Zeichen ist das Label für das Zertifikat gemeint, nicht das den Konformitätsbewertungsstellen eigene Zeichen. Der Bezug zum globalen Absatzmarkt wird hergestellt, um die Wirkung Europas im globalen Wettbewerb mit einer Stimme zu unterstreichen.

3.6 THIRD PARTY LIMITED LIABILITY PROTECTION

On a level of 1 to 4, which of these options do you think is most effective and realistic to address the issue of third party limited liability protection?

- Option 1: Bewertung 1
- Option 2: Bewertung 4
- Option 3: Bewertung 2

Comments/other option:

Introducing harmonised rules at EU level is most effective.

European harmonised standardisation is one way of supporting the regulatory framework. The setting of technical rules relieves the burden on manufacturers and procurers and ensures that only solutions that are relevant to and accepted by the market prevail.

Introducing legislation at national level could again lead to market fragmentation due to national specifics. – Option 3

Complementary see examples under 3.8 .

Hintergrundinformation:

Third party liability protection integriert die Produkthaftung des Herstellers und die Integration des Staates. In den USA z. B. übernimmt der Staat für Security-Produkte, die geprüft sind die Haftung für den tatsächlichen Schadensfall. Somit wird das Haftungslevel für den Hersteller gesenkt. In Europa sind zwar die Haftungsforderungen nicht so umfangreich wie in den USA, es fehlt dennoch eine einheitliche europäische Regelung.

Option 3 wird von **EADS Cassidian** mit 4 bewertet:

A detailed proposal outlining the concept of a European limitation of liability of industries operating in the security and resilience domain and applicable to claims where an act of terrorism has occurred has been submitted to you on behalf of the Aerospace and Defence and

Space Industries Association of Europe (ASD) and the European Organisation for Security (EOS) on April 30th, 2010 (see: Joint ASD/EOS proposal on EU Third Party Liability Limitation, Final Version, <http://www.eos-eu.com/LinkClick.aspx?fileticket=jgvkJXP1x9w=&tabid=268&mid=1059>).

3.7 Please specify whether you experienced problems regarding third party liability on a national and / or EU-wide level

Not sure whether or not such events have occurred. However in a business like security scanning in airports on passengers, carry-on bags, check-in luggage as well as cargo, requiring more and more private companies to execute screening or requesting more and more automatic devices, like body scanners or luggage inspection systems, liability is a significant problem: companies performing these tasks or producing the equipment will not be able to handle liability in case of an event.

3.8 Do you recommend any additional measures that would effectively strengthen the security base in the EU?

A regulatory framework for product liability should be set up at European level. Standardisation that is harmonised at European level would help ease the legislative burden.

3.9 Do you consider that action by the EU would be necessary to reinforce the industrial base?

Antwort: YES

4. SECURING THE CITIZEN AND THE SOCIETY

4.1.1 On a level of 1 to 4, do you agree with the problem definition, that security products need to be privacy compliant from development to production?

Bewertung 1

Hintergrundinformation:

Wenn die "privacy compliance" für die Entwicklung eines Produktes von Anfang an mit dargestellt werden muss, wird die Berücksichtigung der Anforderungen in der Entwicklung und Herstellung zu aufwändig.

4.1.2 On a level of 1 to 4, which of these options do you think is effective and realistic to ensure that the ethical / societal dimension of security is introduced in an industrial policy for the security sector?

- Option 1: Bewertung 4
- Option 2: Bewertung 1
- Option 3: Bewertung 1

Comments/other options:

As long as the requirements which will be defined by the EU under option 2 are not available it is difficult to rate the relevance of such a measure.

To recognise that this principle is not applicable to all security products, systems, etc. Many are inherently privacy compliant by virtue of what they do. Others could be used for anti-privacy purpose outside of their design scope – but this is a function of system design and application on a specific site – not a “privacy by design” issue in the context of this question. Therefore it should be applied only on an “as-needed” basis.

Hintergrundinformation:

Die Fragestellung der Privacy Compliance sollte eher auf das Garantieren der Privatsphäre als Produktphilosophie gehandhabt werden. Eine Begrenzung der Rahmenbedingungen von der Konzeption an, wie es in „privacy by design“ gefordert ist, führt zu einer starken Technologielimitierung.

Bei eine Körperscanner würde die „privacy compliance“ from the development bedeuten, dass gewisse Auflösungsgrenzen nicht unterschritten werden. Sinnvoll ist es, einen voll leistungsfähigen Scanner zu bauen und im Anschluss mit Hilfe der Anforderungen der privacy compliance die Auflösung zu begrenzen. Effektiv könnten solche Geräte je nach Anwendung unterschiedliche nachträgliche „privacy compliance“-Stufen erhalten und breit eingesetzt werden.

4.2 Certification Procedures

Do you believe it would be useful to merge a possible ethical certification procedure as detailed in 4.1 with the certification procedures outlined in 2.1 instead of having two separate certification procedures?

Bewertung: NOT USEFUL

Comment/other option:

Greater privacy awareness is meaningful, but not through ethical certification.

Hintergrundinformationen:

*Die Fragenkomplexe zum Schutz der Privatsphäre, **Fragen 4.1 und 4.2**, Aspekte der Privacy im Rahmen des Designs und einer europäischen Harmonisierung der diesbezüglichen Richtlinien, erhalten in der Bewertung von **EADS Cassidian** eine deutlich höhere Gewichtung. Da der europäische Sicherheitsmarkt durch national unterschiedliche Datenschutzbestimmungen fragmentiert ist (Beispiele Vorratsdatenspeicherung, Körperscanner, Videoüberwachung) und der zur Kriminalitäts- und Terrorismusbekämpfung notwendige Datenaustausch erschwert wird, sowie die Akzeptanz durch Politik und Gesellschaft essentiell ist, besteht hier erhöhter Handlungsbedarf.*

4.3 RESEARCH ON PRIVACY COMPLIANT TECHNOLOGIES

On a level of 1 to 4, which of these options do you think is effective and realistic to ensure that the ethical / societal dimension of security is introduced in an industrial policy for the security sector?

Option 1: Bewertung 4

Option 2: Bewertung 2

Comments/other option:

Ensure freedom to develop technologies, implement data protection according to existing guidelines/directives at a later time, that is, don't limit performance capability until a later stage.

Hintergrundinformationen:

"privacy by design" wird in den Forschungsprojekten des 7. Rahmenprogramms untersucht, stellt allerdings hohe Anforderungen, die schwierig nachzuweisen sind. Datenschutz muss von vorn herein angelegt sein.

4.4 Further suggestions

Do you recommend any additional / other option that would effectively reinforce the ethical / societal dimension of security in the envisaged industrial policy for the security sector?

Ensure freedom to develop technologies, implement data protection according to existing guidelines/directives at a later time, that is, don't limit performance capability until a later stage. No additional costs imposed by not testable requirements.

5. FINAL QUESTIONS

Are you aware of any initiatives in your country that have one of the above goals in mind?

5.1.a) Reducing market fragmentation

1. Example - Standardisation:

Active participation in European and international standards projects

Proactive standards work: DIN's Coordination Office for Civil Security

The Coordination Office ensures the ongoing cooperation among stakeholders involved in civil security standardisation. This Office was set up in within DIN in November 2010 with the support of the German Federal Ministry of Economics and Technology (BMWi). It will ensure that standardisation in the civil security sector is coordinated and efficient, and will successively strengthen and build upon the position of civil security within the global context.

2. Example: GESA e. V. – A network serving as an informal instrument for harmonisation

The German European Security Association (GESA) supports and promotes the civil security architecture of the Federal Republic of Germany and the European Union by developing content and structures for protecting democratic social values. GESA is active at national, European and international level.

5.1.b) Strengthening the industrial base

1. German government's new industrial policy initiative "Civil Security: A Key Future Market"

The initiative aims to create optimal conditions that will help German products and services achieve success on national and international security markets. The Federal Ministry of Economics and Technology is pooling a variety of instruments to promote foreign trade and investment and tailoring these instruments to the specific needs of the security industry.

In the style of national initiatives, European-wide measures can support and strengthen the single European market for civil security in terms of harmonization and competitiveness in a global security market.

2. Establishing Networks of excellences

3. Example – Standardisation

Active participation in European and international standards projects

Proactive standards work: DIN's Coordination Office for Civil Security

The Coordination Office ensures the ongoing cooperation among stakeholders involved in civil security standardisation. This Office was set up in within DIN in November 2010 with the support of the German Federal Ministry of Economics and Technology (BMWi). It will ensure that standardisation in the civil security sector is coordinated and efficient, and will successively strengthen and build upon the position of civil security within the global context.

5.1.c) Introducing the ethical/societal dimension in security technologies

— The ethical/societal dimension in security technologies is already being investigated in various national and European research projects. These results can be used for further consideration.

1. BMBF funding project SOGRO (Germany)
2. BMBF funding projekt eTriage (Germany)
3. BMBF funding project ALAM (Germany)
4. ANR funding project CARTES (France)
5. EU funding project wearIT@work
6. BMBF funding project VOTEKK (Germany)
7. EU funding project CEPS
8. EU funding project PARSIFAL
- 9. EU funding project CRISIS