



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from : Working Party on Terrorism
to : Article 36 Committee

Subject : Draft Council conclusions on the use of closed-circuit television surveillance in combating terrorism

Delegations will find in Annex a proposal for Council Conclusions on the use of closed-circuit television surveillance in combating terrorism

**Draft Council conclusions on the use of closed-circuit television surveillance
in combating terrorism**

Whereas the development of closed-circuit television surveillance methods in recent years has constituted an instrument useful in combating terrorism.

Whereas the use of CCTV should respect individual freedoms and consequently be subject to a priori and a posteriori control.

Whereas the data collected by CCTV should as far as possible be accessible to authorities combating terrorism.

Whereas their use as evidence in court should be considered

Whereas the transmission of data to authorities of other Member States and possibly to third countries, subject to the existence of adequate personal data protection legislation, should be promoted.

Whereas the measures proposed in these conclusions should not create unnecessary administrative burdens.

Whereas the study carried out by the Council Secretariat explored key issues and needs to be developed further, especially by the Commission.

The Council considers that:

A.

1. While taking into account the differences of law between the Member States, prior legal control, in the form of registration or authorisation, should therefore be a measure to protect individual rights which also contributes to the effectiveness of the fight against terrorism. Such legal arrangements would also enable police and security services to benefit from a full national or regional mapping of CCTV installations, which could help them to carry out their missions.
2. A common logo warning of the use of CCTV should be devised, to be used by all the Member States in order to give citizens the best possible protection.
3. The retention period for CCTV images should be time-limited to protect individual rights. This time limit should not constitute an obstacle to police and security services but on the contrary should save them having to process excessive quantities of largely irrelevant data.
4. Misuse of CCTV images, in particular for commercial purposes, should be prohibited, whether or not the devices are installed in places open to the public.
5. Advantage should be taken of the possibilities offered by developments in technology.

B.

1. A time-limit for the retention of CCTV images should be agreed, with a view to guaranteeing individual freedoms, and would at the same time constitute a factor in the effectiveness of the fight against terrorism.
2. There is a need to use all available means to facilitate convergence, interoperability and, in certain cases, sharing of the resources offered by all devices, with particular attention to their functional aspects.

3. Security forces should work to improve their capacity to receive and exploit good-quality images. They should also become involved in the design, and even in the use, of the systems put in place by the various stakeholders, in order to be able to limit installation of their own resources and thus to keep down costs.

C.

1. Facilitate access of security services to CCTV images.
2. Improve exchange of CCTV images between police and security services of Member States.

D.

1. Investigation into the use of CCTV for counterterrorism purposes should be continued, e.g. with a conference under the auspices of the Commission, with a follow-up report to be produced in the framework of the Council by the end of 2010.
