



**COUNCIL OF
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from : General Secretariat

to : Coreper/Council

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Subject : Draft Council conclusions on the coordination of police action on road safety

1. In an enlarged area of free movement of persons and goods, road safety is a major factor in the protection of European citizens.

This is an area in which the efforts of the police are confined to the national framework or, at most, extend into border areas, on the basis of bilateral agreements. So as EU police cooperation moves ahead in most of its spheres of jurisdiction, road safety is sidelined. Its omission is all the more glaring when set against the thousands of human lives that are at stake, given that 40 000 Europeans die on the roads every year.

2. The French Presidency therefore organised a seminar on European coordination of road safety campaigns organised on 11 and 12 September 2008, which brought together 150 experts from 29 European countries, the Commission, the European Parliament and various associations. The discussions showed the need for greater synergy between services responsible for road safety at European level and a number of possibilities for making their action more effective were explored.

3. As a follow-up to the conference, the French Presidency submitted Council conclusions with a view to putting in hand a Europe-wide process of coordination of police forces involved in road safety. These draft conclusions were discussed and agreed upon at the Police Cooperation Working Party meeting of 5 November and at the Article 36 Committee meeting of 10 November 2008.
4. **Coreper is therefore requested to invite the Council to approve the draft Council conclusions on coordination of police action on road safety, as set out in annex.**

**Draft Council conclusions
on coordination of police action on road safety**

Recalling the essential role which Union and Community policy plays in transport safety, as evidenced in particular by:

- Recommendation 2004/345/EC of 21 October 2003 on enforcement in the field of road safety, which encourages Member States to apply good enforcement practices;
- the Commission White Paper entitled "European transport policy for 2010: time to decide"¹, which sets the aim of halving the number of deaths by 2010;
- the European Road Safety Action Programme "Halving the number of road accident victims in the European Union by 2010: a shared responsibility",² which reaffirms that objective, which was endorsed by the Council in its transport conclusions of 5 June 2003³ and by the European Parliament in its Resolution of 12 February 2003⁴,

Recalling the importance of Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties⁵, which deals with mutual recognition of final decisions requiring a financial penalty to be paid,

Recalling Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and its implementing Decision 2008/616/JHA,

Recalling, in addition, that policing road safety on the ground is generally inseparable from combating all forms of delinquency and crime that use or occur on the roads.

¹ COM(2001) 370 of 12.9.2001.

² COM(2003) 311 of 2.6.2003.

³ 9686/03 (Presse 146), p.22.

⁴ OJ C 43E, 19.2.2004, p. 250.

⁵ Council Framework Decision 2005/214/JHA, OJ L 76, 22.3.2005, p. 16.

Noting that in practice traffic offences committed by non-resident drivers are more difficult to sanction, which may create a sense of impunity and undermine the social acceptability and legitimacy of controls,

Stressing that the more Member States' services can offer mutual support and coordinate their action , the easier it will be to attain the objectives of Recommendation 2004/345/EC,

Welcoming the role played by regional or bilateral agreements, and by TISPOL, in cooperation between police forces,

Noting, however, on the basis of the results of the expert seminar on European coordination of road safety campaigns, that the effectiveness of these arrangements is too limited in scope,

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Considers that the challenge of halving the number of dead and injured on European roads justifies concerted Union action involving all those with a part to play in road safety;

Notes in particular the need to create the conditions required for genuine European coordination of police action to make the roads safer, particularly as this will help to combat all forms of crime on the roads;

Stresses that this coordination, vital to concerted European action in this field, must involve officers, equipment and techniques, as well as joint actions;

To that end,

Affirms its determination to launch the necessary initiatives to improve strategic and operational cooperation to improve road safety, particularly by:

- including road safety in the police cooperation handbook currently under revision;
- regularly gathering representatives of the competent authorities to devise concerted strategic guidelines with regard to road safety;
- promoting exchanges between national contact points in charge of preventing and controlling traffic offences, for the purpose of sharing views and good practice, coordinating methods of action and seeking interoperability of procedures and equipment;
- combating trans-national illegal races of motor vehicles on European public roads on the basis of gathered intelligence and improved mechanisms for operational police coordination in this field.

Calls, finally, for these solutions to be sought

- on the basis of what already exists,
- giving priority to simple, flexible and efficient solutions,
- with a view, from the outset, to effective collaboration with other road safety actors at European level.

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