



Joint Statement on the French EU Council Presidency For a Europe that protects

Brussels / Paris, 20 January, 2022

With this Statement, the *Confederation of European Security Services (CoESS)* and the *Groupeement des Entreprises de Sécurité (GES)* express their anticipation for the EU Council Presidency of the Republic of France. We wish the officials in charge every success in building a future-oriented, more resilient European Union.

The French Presidency will lead negotiations in EU Council on dossiers of high relevance for public security in Europe - notably the European Commission's proposals for a European Artificial Intelligence Act (EU AI Act) and for a Directive on the Resilience of Critical Entities (CER Directive).

The private security sector, represented by CoESS at the European level and GES in France, has experienced and is still experiencing major difficulties linked to the COVID-19 health crisis: a continuously sharp drop of activities in a number of business segments (events, airports, etc.), shortage of manpower, difficult public and media recognition. These issues should also be on the agenda of the Presidency, and CoESS and GES will support any initiatives that might be taken in this direction.

EU Security Policy built on trust in new technologies

In the context of continuing terrorist attacks in several EU Member States, we welcome the [Council Conclusions](#) on the Protection of Public Spaces from 07 June 2021. They recognise the importance of new technologies in protecting public spaces and advise Member States to engage and create synergies with relevant stakeholders, including private security companies. CoESS and GES therefore call on the French EU Council Presidency to follow these Council Conclusions with regard to the EU AI Act and CER Directive.

Directive on the Resilience of Critical Entities (CER Directive)

We believe that the European Commission's proposal for a CER Directive is a valuable contribution to Critical Infrastructure Protection (CIP) in Europe. Still, it shows serious shortcomings concerning coherence with the proposal for a NIS Directive 2 when it comes to quality control of security service providers and the promotion of European Standards to help operators of Critical Entities comply with the important provisions of the legal proposal.

The [report](#) of the European Parliament proposes important improvements in this regard, as we have highlighted in a [paper](#) shared with the French Permanent Representation to the EU in November. With regret, we notice that these improvements do not feature in the general approach found in European Council. We therefore call on the French EU Council Presidency to accept the following amendments of the Parliament during inter-institutional negotiations:

- **European Parliament Report Amendment 76:** this amendment recognises the **added value of existing European Standards** for the resilience of Critical Entities by establishing a new Article 13a on Standards. This provision enhances coherence with the NIS Directive 2, notably the latter's Article 22, and was already recommended by the European Parliament's [Report](#) of the Special Committee on Terrorism. We stress that relevant European or internationally accepted standards exist (ISO/IEC 27000:2018; ISO 28000:2007; EN16082:2011; EN16747:2015; EN17483-1) that can serve enhanced resilience and physical protection of critical entities and help their operators comply with the provisions of the CER Directive.
- **European Parliament Report Amendment 67:** In Article 11.1(e), this amendment improves **quality and compliance control of private security services** protecting Critical Infrastructure. Private security provides an essential service in CIP, which has also been [recognised by the European Commission](#). We therefore underline that shortcomings in quality control of security services can be a serious vulnerability to CIP. When qualitative criteria, e.g. related to training and working conditions of security staff are not met, this can lead to very serious security gaps, as well as risks to public safety and security, let alone the critical entities' performance itself. The Amendment is also in line with recommendations of the European Parliament's [Report](#) of the Special Committee on Terrorism.

You can find more information on our reasoning in our more detailed position paper [here](#), and our evaluation of the Parliament Report [here](#). We are supported in our recommendations by our European Social Partner, the trade union UNI Europa, with which we have published a respective [position paper](#) today that has been shared with the responsible Unit in your Permanent Representation.

European Artificial Intelligence Act

The French Presidency will also have to build consensus on the European Commission's proposal for a European Artificial Intelligence Act. AI is a ground-breaking technological development and needs an equally ambitious legal framework at EU level.

In a Joint Statement published on 02 December 2021, the representatives of the European Security Industry (CoESS, Euralarm and the European Organisation for Security) have raised their serious concerns regarding the European Commission's proposal. In the statement, the European Security Industry notes that the present proposal does not reflect the importance that AI may have in the future in public security. The proposal entails a real risk of having Europe lagging behind on the development of viable solutions in different security domains, thereby exposing European citizens to

greater security threats, rather than fostering the provision of advanced tools to allow law enforcement authorities and entities acting on their behalf to better protect citizens.

In addition to the Joint Statement, CoESS proposes concrete amendments to policymakers in European Council and Parliament in a [paper](#) published 20 December 2021. To strengthen the legal framework for AI, CoESS recommends amendments along the following lines:

- We stress the importance of legal certainty and the need for practical and unambiguous applicability criteria, definitions, obligations, roles and responsibilities in the EU AI Act. To this end, we recommend a number of amendments to Article 3.
- We highlight that restrictions of the use of “real-time” remote biometric identification systems must not leave room for interpretation versus biometric verification and authentication; reflect operational realities in public security; and set important safeguards against the technology’s misuse. We therefore recommend amendments to Article 5.
- We underline that adequate and realistic human oversight provisions are key for legal certainty, safe uptake of AI products and services by users, and an ethical and human-centric use. We therefore recommend a number of clarifications in Article 14 that reflect realities in security processes, i.e. at airports, CIP, remote surveillance and access control.

CoESS and GES count on the French EU Council Presidency to deliver on two of the most important EU security policy dossiers of the past years. Both associations stand ready to offer their expertise to foster a resilient Union.

Strengthening of exchanges and comparisons between Member States in the field of private security

The COVID-19 crisis has seen links and exchanges strengthened between the members of CoESS: temperature control, essential workers recognition, staff shortages, etc. These comparisons, which are useful for conducting discussions with each national authority, must continue and allow the emergence of viable and recognised solutions and avenues in other countries. Beyond the different legal and regulatory frameworks from one country to another, it is less and less understandable that the modalities and practices of private security do not converge more within the EU, on the basis of the most mature legal models that are also most favourable to the creation of real security continuums.



CoESS and the GES therefore strongly hope that the forthcoming statistical and comparative data on private security in the EU, soon to be published by CoESS, will be studied and analysed at their true value by the national public authorities, in particular as essential elements for adapting national legislation.

A handwritten signature in blue ink, appearing to read 'C. Piana'.

Catherine Piana
Director General
CoESS

A handwritten signature in blue ink, appearing to read 'Luc Guilmin'.

Luc Guilmin
President
GES

About CoESS

CoESS acts as the voice of the private security industry, covering 23 countries in Europe and representing 2 million security officers, over 45,000 companies and generating a turnover of over €40 billion. The private security services provide a wide range of services, both for private and public clients, ranging from Critical Infrastructure facilities to public spaces and government and EU institutions buildings. CoESS is active in European Sectoral Social Dialogue with UNI Europa and numerous EU Expert Groups, including the EU Operators Forum for the Protection of Public Spaces.

About GES

GES is the leading employers' organisation in the private security sector in France. Bringing together 200 member companies, for 80,000 employees, GES is the interlocutor of the public authorities (Ministry of the Interior, Ministry of the Economy, Finance and Recovery, Ministry of Labour, Employment and Integration, etc.) as well as the social partners. In this respect, GES leads social negotiations and has signed more than 10 agreements since 2019. GES is also a member of the bodies of the National Council for Private Security Activities (CNAPS), the bodies of AKTO (skills operator), the French Union of Security Competence Actors (UFACS), the MEDEF, the CPME and, of course, the CoESS.