

Effects of the draft EU Services Directive on social and professional standards in the private security sector

The present draft of the EU Directive on services in the domestic market (the EU Services Directive) concerns the entire service sector. Excluded are only services, which are performed by authorities without remuneration (non-economic services).

With its global approach the proposal also encompasses the activities of the private security sector, and in doing so, covers highly sensitive areas such as the securing of military facilities, nuclear power plants and airports.

From a police point of view, for these activity areas it is absolutely vital to have a strict examination of personal and technical qualifications of personnel and a strict public supervision of the corresponding firms. The purpose of appropriate national regulations is to protect citizens against abuse, to ensure transparency and to prevent the formation of private militias.

Protection of citizens only by national regulation of the private security business

EuroCOP has, for quite some time, been calling for the harmonisation of these standards in the EU. Unfortunately, these efforts have so far been unsuccessful. The level of legal regulations of private security agencies within the EU still varies greatly, including across highly sensitive areas such as:

- licensing and control measures
- carrying of firearms
- required level of training

Consequences of the use of the 'country of origin' principle

The fact that the Services Directive is based on the 'country of origin' principle would mean that services in all EU Member States would be based on the national conditions set by the State of origin of the service provider. This would mean for example that a security firm from Ireland operating in Germany would be regulated by Irish law. The result would be that the comparatively stricter regulations for the protection of citizens in Germany would thereby be reduced to the lower level as determined by Irish regulations.

Consequences of the application of the country of origin principle would result in a competitive distortion between service providers from Member States with high levels of protection for citizens and those Member States with low levels of protection for citizens.

The pressure of competition resulting from this will force the security service providers to move their bases to Member States with low social, professional and qualitative requirements which will become EU wide standard practice. High standards will be undermined to the detriment of citizens' security without there being any possibility for Member States to confront this development. The protection of citizens will therefore be reduced to the smallest common denominator in the equation.

EuroCOP has urgently called for the total exclusion of the private security sector from the scope of the EU Services Directive in order to safeguard the existing qualitative and professional standards.

We emphasise the fact that this point of view is shared by the European umbrella organisation for the Private Security Sector, CoESS, who has raised similar concerns.