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COMMUNICATIONS COMMITTEE

Working Document

**Subject: Implementation of the single European emergency number 112:
follow-up**

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Introduction



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The single European emergency number 112 was first introduced into Community law through a Council Decision¹ in 1991. The legal basis at EU level is now Article 26 of Directive 2002/22/EC, the Universal Service Directive. Compared to the Council Decision of 1991, this article puts a particular emphasis on the end-users' right to call emergency services free of charge via 112. Another key element was added in the Universal Service Directive: the requirement on Member States to adequately inform their citizens about 112. These two aspects are of considerable importance in the context of the Single Market and the free movement of people within the Union, as 112 is a tool for the benefit of the citizens. EU citizens travelling outside their own Member State should not only be made aware of the existence of 112 as a number which can be reached in the entire EU; they should also be able to rely on this number to obtain an efficient emergency service, equivalent to the one enjoyed when calling other existing emergency numbers at national level.

Following several complaints on the implementation of the single European emergency number '112', and also in conjunction with the accession to the European Union of 10 new Member States the Commission decided to gather information on this subject through the Communications Committee. The questionnaire that was sent to the Committee (COCOM04-30REV1) focussed on areas of interest such as the legal basis for the implementation of 112, steps taken to improve its effectiveness and quality, caller location information and awareness raising. The responses have been analysed and a document summarising the main findings of the questionnaire was presented to the Committee (COCOM04-62).

This document summarises the Commission services' approach concerning the implementation of 112 in the Member States.

1. Availability of 112

Article 26(1) provides: *“Member States shall ensure that, in addition to any other national emergency call numbers specified by the national regulatory authorities, all end-users of publicly available telephone services, including users of public pay telephones, are able to call the emergency services free of charge, by using the single European emergency call number “112”.”*

This requirement is met in all Member States except Poland, where only mobile subscribers are able to call emergency services dialling 112. Consequently, the Commission opened an infringement proceeding against Poland in March 2005 for failure to implement the abovementioned provision.

112 is not meant to replace other preexisting emergency numbers, although two Member States, Denmark and the Netherlands, have chosen to do so.

Annex I Part A (e) of the Directive has a specific provision concerning access to 112 for customers who have not paid their bills. *“Member States may allow a period of limited service prior to complete disconnection, during which only calls that do not incur a charge to the subscriber (e.g. ‘112’ calls) are permitted.”* When such a period is granted, subscribers should always be able to call 112. This would help fulfil the objective set out in Recital 36 of the Directive, which states: *“It is important that users should be able to*

¹ Council Decision 91/396/EEC of 29 July 1991 on the introduction of a single European emergency call number *Official Journal L 217, 06/08/1991 P. 0031 - 0032*

call the single European emergency number '112', and any other national emergency telephone numbers, free of charge, from any telephone, including public pay telephones, without the use of any means of payment."

2. Appropriate answering and handling

According to Article 26(2), *"Member States shall ensure that calls to the single European emergency call number "112" are appropriately answered and handled in a manner best suited to the national organisation of emergency systems and within the technological possibilities of the networks."*

Although the wording of this paragraph leaves Member States with a degree of discretion in the manner in which they choose to implement this provision, the end-user should be able to rely on the 112 number in the same way as it might rely on a national emergency number. This means that, in practice, a person calling 112 should get a similar level of service (in terms of quality of the response, and in particular the time taken to process such a call) to the one obtained when dialling another national emergency number. For instance, the Commission services consider that 112 should give callers access to all emergency services. When an end-user dials 112, his call should, under normal circumstances, be routed directly to the competent emergency service, without being asked to dial another number.

The Commission services have identified the setting-up of unified Public Safety Answering Points (PSAPs), able to deal with emergencies requiring the intervention of the police, ambulance service or fire brigade, as a key factor in improving the assistance provided to citizens. Although these unified PSAPs are only available in a limited number of cases, replies from the Member States show an encouraging trend, with many plans for such call centres.

Article 26(2) is intended to provide a right that can be used effectively and therefore relied upon by end-users in the context of the internal market. In this regard, the Commission services would like to draw attention to recital 36 of the Universal Service Directive: *"Steady information technology improvements will progressively support the simultaneous handling of several languages over the networks at a reasonable cost."* It is clear, from this recital, that the emergency services in the Member States should gradually be able to handle calls in several languages. An exchange of best practice at national or EU level between the Public Safety Answering Points (PSAPs) would probably assist Member States in tackling the issue.

The Commission services are aware of the fact that emergency authorities have to face an ever increasing number of false emergency calls (typically 2/3 of all emergency calls across the EU), which in turn jeopardises the quality of responses. Some remedial steps have already been taken: some Member States have introduced (sometimes heavy) fines for individuals found guilty of hoax calls, whereas others now block access to the emergency services from SIM-less mobile phones. As to the latter, the Commission services see no incompatibility with the Directive.

3. Caller location information

Article 26(3) provides that “*Member States shall ensure that undertakings which operate public telephone networks make caller location information available to authorities handling emergencies, to the extent technically feasible, for all calls to the single European emergency call number "112".*”

Recital 36 adds that “*Caller location information, to be made available to the emergency services, will improve the level of protection and the security of users of "112" services and assist the emergency services, to the extent technically feasible, in the discharge of their duties, provided that the transfer of calls and associated data to the emergency services concerned is guaranteed.*”

The provisions of the Directive were later complemented by a Commission Recommendation², which received a favourable opinion from this Committee. The Recommendation promoted the introduction within a reasonable timeframe of the “push” technique, where caller location information is made available by the network operator(s) to the emergency services.

A majority of Member States have indicated they provided some sort of caller location information to the emergency operators. However, the Commission services would like to emphasise that the provision of caller location information to emergency authorities should now be considered to be “technically feasible” within the meaning of the Directive, at least under the “pull” version, from either fixed or mobile operators. The Commission would also expect rapid progress be made on the “push” technique, as it is starting to be introduced in a number of Member States. Questions of standardisation of the so-called “e112” (caller location information provided to emergency services) should be borne in mind, and the Commission intends to work closely with ETSI in the near future to arrive at some sort of European standard.

The Commission would in principle have strong reservations about a situation in which caller location information is available for commercial purposes, but not for the emergency services, as seems to be the case in one Member State.

4. Information of the public

Article 26(4) of the Directive states that “*Member States shall ensure that citizens are adequately informed about the existence and use of the single European emergency call number "112".*”

In the light of the objective of a single European emergency call number, the Commission services believe that Member States should have taken steps to identify the special status of this number. This means that all forms of advertising used for this number (advertising campaigns, but also listing 112 in telephone directories and public payphones) should not only refer to 112 as one of the existing national emergency numbers, but also to the possibility for the citizens of the Member State to dial this number when travelling to other countries in the EU.

² Commission Recommendation of 25 July 2003 on the processing of caller location information in electronic communication networks for the purpose of location-enhanced emergency call services C(2003) 2657 *Official Journal L 189*, 29/07/2003 P. 0049 - 0051

Next steps

The Information Society and Media Directorate General intends to send administrative letters to all Member States within the next few weeks. These letters will seek to elicit detailed information as to how Member States intend to act to implement 112 in a satisfactory manner for all EU citizens.