

# RECOMMENDATIONS

## COMMISSION RECOMMENDATION

of 8 September 2011

**on support for an EU-wide eCall service in electronic communication networks for the transmission of in-vehicle emergency calls based on 112 ('eCalls')**

(Text with EEA relevance)

(2011/750/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Council Decision 91/396/EEC of 29 July 1991 on the introduction of a single European emergency call number <sup>(1)</sup> required Member States to ensure that the number 112 was introduced in public telephone networks as the single European emergency call number.
- (2) Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) <sup>(2)</sup> requires Member States to ensure that calls to the number 112 are appropriately answered and handled, and that all end-users are able to call 112 free of charge.
- (3) Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport <sup>(3)</sup> included harmonised provision for an interoperable EU-wide eCall service as a priority action. The introduction of such a harmonised service in all vehicles in the European Union has the potential to significantly reduce the number of fatalities and the severity of injuries resulting from road accidents.
- (4) It is important for all Member States to develop common technical solutions and practices for the provision of

emergency call services. The development of common technical solutions should be pursued through the European standardisation organisations, in order to facilitate the introduction of the eCall service, ensure the interoperability and continuity of the service EU-wide, and reduce the costs of implementation for the European Union.

- (5) A harmonised solution across Europe would ensure interoperability for transmitting the voice/audio call and the minimum set of data generated by the in-vehicle eCall system to the public safety answering point, including the accurate location and time of the incident. A harmonised solution would also ensure the continuity of the eCall service across European countries. With the high volume of cross-border traffic in Europe, there is a growing need for a common data transfer protocol for passing such information to public safety answering points and emergency services in order to avoid the risk of confusion or wrong interpretation of the data passed.
- (6) The effective implementation of a harmonised EU-wide interoperable eCall service requires that the voice/audio call, along with the minimum set of data generated by the in-vehicle system on the incident, is transmitted automatically to any appropriate public safety answering point that can receive and use the location data provided.
- (7) The arrangements for forwarding information by mobile network operators to public safety answering points should be established in a transparent and non-discriminatory way, including, where appropriate, any cost aspects.
- (8) A harmonised solution across Europe may also ensure interoperability for advanced eCall applications, such as the provision of additional information, e.g. on crash-sensor indicators, on the type of dangerous goods carried or on the number of occupants of the vehicle.

<sup>(1)</sup> OJ L 217, 6.8.1991, p. 31.

<sup>(2)</sup> OJ L 108, 24.4.2002, p. 51.

<sup>(3)</sup> OJ L 207, 6.8.2010, p. 1.

- (9) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data <sup>(1)</sup> and Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) <sup>(2)</sup> generally require that the privacy and data protection rights of individuals should be fully respected and adequate technical and organisational security measures should be implemented for that purpose. However, it allows the use of location data by emergency services without the consent of the user concerned. In particular, Member States should ensure that there are transparent procedures governing the way in which a provider of a public telecommunications network and/or service may override the absence of consent by a user to the processing of location data, on a per-line basis for organisations that deal with emergency calls and are recognised as such by a Member State.
- (10) The eCall service has been designed to follow the recommendations made by the Article 29 Data Protection Working Party and contained in the working document on data protection and privacy implications of the eCall initiative, adopted on 26 September 2006, namely that vehicles equipped with eCall devices should not be traceable in their normal operational status and that the minimum set of data sent by the eCall device should include the minimum information required for the appropriate handling of emergency calls.
- (11) This Recommendation will allow Member States to design the eCall response organisation in a way that best suits their emergency response infrastructure.
- (12) Actions under the European Union's action programme in the field of civil protection should aim to integrate civil protection objectives within other Union policies and actions as well as ensure the consistency of the programme with other Union actions. This entitles the Commission to implement actions to increase the preparedness of organisations involved in civil protection in the Member States, by enhancing their ability to respond to emergencies and by improving the techniques and methods of response and immediate aftercare. This may include the handling and use of eCall information by public safety answering points and emergency services.
- (13) For the successful implementation of an eCall service throughout the Union, implementation issues must be addressed and timescales for the introduction of new systems coordinated. The European eCall Implementation Platform, established by the Commission in February 2009 as a partnership between the public and private sectors, has allowed all stakeholders to discuss and agree on the principles for harmonised and timely implementation.
- (14) To achieve the objectives of this Recommendation, a continued dialogue between mobile network operators and service providers and public authorities, including emergency services, is essential.
- (15) Given the continuous evolution of concepts and technologies, Member States are encouraged to foster and support the development of services for emergency assistance, for instance to tourists and travellers and to transporters of dangerous goods by road, and to support the development and implementation of common interface specifications in ensuring Europe-wide interoperability of such services.

## HAS ADOPTED THIS RECOMMENDATION:

1. Member States should apply the following harmonised conditions and principles to the making of emergency calls manually or automatically by an in-vehicle telematics terminal to public safety answering points via the single European emergency call number 112.
2. For the purposes of this Recommendation, the following definitions apply:
  - (a) 'emergency service' means a service, recognised as such by the Member State, that provides immediate and rapid assistance in situations where there is a direct risk to life or limb, to individual or public health or safety, to private or public property, or to the environment, but not necessarily limited to these situations;
  - (b) 'public safety answering point' (PSAP) means the physical location where emergency calls are first received under the responsibility of a public authority or a private organisation recognised by the national government, whereby the 'most appropriate PSAP' is the one defined beforehand by authorities to cover emergency calls from a certain area or for emergency calls of a certain type (e.g. eCalls);
  - (c) 'eCall' means an in-vehicle emergency call to 112, made either automatically via activation of in-vehicle sensors or manually, which carries, by means of mobile wireless communications networks, a standardised minimum set of data and establishes an audio channel between the occupants of the vehicle and the most appropriate public safety answering point;
  - (d) 'emergency service category value' is the 8-bit value used for mobile-originated emergency calls to indicate the particular type of emergency call (1-Police, 2-Ambulance, 3-Fire Brigade, 4-Marine Guard,

<sup>(1)</sup> OJ L 281, 23.11.1995, p. 31.

<sup>(2)</sup> OJ L 201, 31.7.2002, p. 37.

- 5-Mountain Rescue, 6-Manually Initiated eCall, 7-Automatically Initiated eCall, 8-spare), as indicated in Table 10.5.135d of ETSI TS 124.008;
- (e) 'eCall discriminator' or 'eCall flag' means the 'emergency service category value' allocated to eCalls according to ETSI TS 124.008 (i.e. '6-Manually Initiated eCall' and '7-Automatically Initiated eCall'), allowing differentiation between 112 calls from mobile terminals and 112 eCalls from in-vehicle terminals and also between manually and automatically triggered eCalls;
- (f) 'minimum set of data' means the information which must be sent to the PSAP according to the standard EN 15722; and
- (g) 'mobile telecommunication network operator' or 'mobile network operator' means a provider of a public mobile wireless communications network.
3. Member States should draw up detailed rules for public mobile network operators operating in their countries on handling eCalls. The rules should fully comply with the data protection provisions enshrined in Directives 95/46/EC and 2002/58/EC. Further, they should indicate the most appropriate public safety answering point to route eCalls.
4. Member States should ensure that mobile network operators implement the mechanism to handle the 'eCall discriminator' in their networks. This should be implemented by 31 December 2014.
5. Mobile network operators should handle an eCall like any other call to the single European emergency number 112.
6. Member States should require their national authorities to report to the Commission on the measures taken regarding this Recommendation, and on the state of implementation by the mobile network operators of the mechanism to handle the 'eCall discriminator' in their networks, by the end of March 2012, so that the Commission can undertake a review taking into account the emerging requirements for public safety answering points.

Done at Brussels, 8 September 2011.

*For the Commission*  
Neelie KROES  
Vice-President