



Council of the
European Union

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NOTE

From:	Presidency
To:	Law Enforcement Working Party
Subject:	Initiative aimed at collecting best practices in combating copper theft in the railway sector

Introduction

Copper theft on the railway network has long been a serious threat to regular railway traffic, causing both direct and indirect financial damage and social consequences linked to the discomfort suffered by rail users on account of train cancellations or delays, as well as possible implications for the safety of transportation itself. In recent years, despite the various initiatives undertaken by Member States to prevent and counter the phenomenon, the number of thefts has remained high, with peaks linked to the demand for the precious metal on Asian markets.

In the European context, characterised by a number of international train connections, copper theft from railway lines is a problem which may also have a devastating impact on cross-border traffic, thus showing the transnational nature of the phenomenon.

Description of the initiative

Objectives:

The Presidency aims to collect and study the best practices established by Member States to counter copper theft from railway infrastructures, as well as to analyse the recent trend of the phenomenon in the EU. The initiative will be accompanied by an operational stage including a concerted action day at European level to counter this problem.

Based on the contributions to the enclosed questionnaire the Presidency will

- consider the experiences already acquired;
- take into account the differences in the relevant legislation of various Member States;
- collect the best practices for preventing copper theft;
- gather statistics to study the trend of the phenomenon.

The steps planned include:

- a. presentation of the initiative and the relevant questionnaire to the LEWP;
- b. collation of the answers to the questionnaire;
- c. common operational action - European Action Day for countering copper theft;
- d. collation of the results of the European Action Day;
- e. compiling of the answers and the results;
- f. presentation of the final draft report on the outcome of the questionnaire and of the European Action Day for the approval by the LEWP.

Outcome:

The final report containing the best practices for preventing copper theft on the railway network will be shared with all Member States in order to facilitate finding solutions which may help reduce the number of thefts and to adopt prevention strategies to mitigate the effects of the phenomenon on the regularity and safety of train circulation.

Questionnaire

In order to collect information relevant to the initiative, Member States are kindly requested to reply to the questionnaire set out in the Annex.

Replies should be sent to the following address by 13 August 2014:

Office: Direzione Centrale della Polizia Stradale, Ferroviaria, delle Comunicazioni e per i Reparti Speciali della Polizia di Stato - Servizio Polizia Ferroviaria

E-mail: olimpia.delmaffeo@poliziadistato.it

affari.ue@interno.it

QUESTIONNAIRE

Analysis of best practices in the fight against copper theft in the rail sector

A. GENERAL ASPECTS

1. *Is any ad hoc legislation envisaged to punish copper theft?*
 - ☐ YES
 - ☐ NO
2. *Who is responsible for countering this crime in the rail sector? (multiple answers possible)*
 - ☐ Police Forces
 - ☐ Railway Police (or another Police Force with specific competence in the rail sector)
 - ☐ Dedicated police team/task force
 - ☐ Other (please specify)
3. *Is there a central strategic body (public/private partnership) for analysing the phenomenon and identifying solutions?*
 - ☐ YES
 - ☐ NO
4. *Are there systems to trace the legal copper chain?*
 - ☐ YES
 - ☐ NO

4.1 *If so, of what kind? (multiple answers possible)*

- ☐ Identification of suppliers
- ☐ Registration of supply operations
- ☐ Transaction traceability
- ☐ Other (*please specify*)

B. COPPER THEFT IN THE RAIL SECTOR

5. *Are there statistical data to detect the trend of copper theft?*

- ☐ YES
- ☐ NO

5.1 *If so, could you indicate the trend over the two-year period 2012/2013 and in the first semester of 2014?*

2012 ☐ increasing ☐ decreasing ☐ steady

2013 ☐ increasing ☐ decreasing ☐ steady

2014 ☐ increasing ☐ decreasing ☐ steady

6. *Are there factors with an impact on the trend of copper theft? (multiple answers possible)*

- ☐ Cost of copper
- ☐ Police controls
- ☐ Investigative activities
- ☐ Implementation by the railway company of passive defence measures

- Development of public/private partnership
- Issuing of more stringent rules
- Other (*please specify*)

7. *Has a specific modus operandi been detected in the various phases of the illegal copper theft chain, with particular reference to: (multiple answers possible)*

- Timing/means of committing theft (e.g. cutting off cables, forcibly removing cables, selectively removing cables)
- Means of transportation (e.g. van)
- Means of concealment (e. g. in the neighbourhood, in yards)
- Working method (e. g. grinding, burning)
- Means of receiving and handling goods (authorised/unauthorised resellers)
- Transnational aspects

7.1 *If so, please specify:*

C. FIGHT AGAINST COPPER THEFT IN THE RAIL SECTOR

8. *Are there statistical data on the fight against copper theft?*

- ☐ YES
- ☐ NO

8.1 *If so, indicate the number of persons arrested/reported to the police over the two-year period 2012-2013 and in the first semester of 2014:*

2012 (_____)

2013 (_____)

2014 (_____)

9. *Have controls revealed links with other crimes?*

- ☐ YES
- ☐ NO

9.1 *If so, what crimes? (multiple answers possible)*

- ☐ Environmental
- ☐ Tax
- ☐ Administrative
- ☐ Other (please specify)

10. *Type of controls carried out: (multiple answers possible)*

- ☐ Metal yards/Scrap dealers
- ☐ Road (patrolling of railway line /vehicle checking)
- ☐ Other (*please specify*)

11. *Effectiveness of controls (assign a point from 1 to 3 in the list below where “1” indicates the least effective control):*

- Metal yards/Scrap dealers ()
- Road (patrolling of railway line /vehicle checking) ()
- Other (*please specify*) ()

12. *What are the factors ensuring effectiveness of controls? (multiple answers possible)*

- Frequency of controls
- Accurate selection of metal yards to be controlled based on:
 - Investigative hints
 - Geo-localisation of theft
 - Studies on export/import
 - Confidential sources
 - Availability of blacklists
- Collaboration with other police forces
- Collaboration with railway companies (e. g. acknowledgement of copper ownership)
- Other (*please specify*)

12.1 *Strengths and weaknesses detected during controls (indicate maximum of 3 per factor):*

D. COOPERATION IN THE RAIL SECTOR

13. *Is cooperation developed with railway companies?*

- ☐ YES
- ☐ NO

14. *Is cooperation developed with other police forces?*

- ☐ YES
- ☐ NO

15. *Is cooperation developed with Customs authorities?*

- ☐ YES
- ☐ NO

16. *Is cooperation developed with other countries?*

- ☐ YES
- ☐ NO

16.1 *If so, at what level? (multiple answers possible)*

- ☐ Information exchange
 - ☐ Joint operations
 - ☐ Other (*please specify*)
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