



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 March 2008

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LIMITE

**SIRIS 34
ENFOPOL 48
COMIX 212**

NOTE

from : Presidency
to : SIS/SIRENE Working Party/Mixed Committee (EU-Iceland/Norway and
 Switzerland/Liechtenstein)

Subject : Troublemakers

It is already agreed by the Council on 13 July 2001¹, that there should be an information exchange between European law enforcement agencies concerning violent troublemakers in view of mass events. The Council concluded on 5/6 June 2003 in its conclusions on SIS II² that a certain interest exists i.a. which new categories of persons should be introduced in the SIS, notably violent troublemakers. The Council also referred to the need for more study on the feasibility, usefulness and practical implementation. Therefore the Council invited the relevant working groups to discuss these requirements and when they find sufficient support, to submit them to the Council.

The Article 36 Committee of 22-23 October 2007 agreed that the SIS/SIRENE Working Party would examine the possibility of using the SIS for sharing information on violent troublemakers at large events. If necessary, other working groups might be consulted at a later stage.

¹ See 10916/01 JAI 82

² See 9808/03 SIRIS 47 CATS 34 ASIM 31 COMIX 330

Following the first discussion on Working Party level on 29 January 2008 several delegations reflected the idea that the persons envisaged could be inserted under Article 99. Other delegations raised doubts about the usefulness of Article 99 alerts for violent troublemakers since arrest cannot be carried out under this Article.

Data on violent troublemakers would concern persons to be barred from certain events, such as European summits or similar venues, international sports or cultural events or other mass gatherings because they are a threat to public order and public security at such events. This proposal begs questions as the right of free movement, other civil liberties and data protection, as these persons should therefore not be permanently visible or included in the SIS, requiring a very careful management of such alerts.

Therefore the Working Party asks whether the Commission considers undertaking the above mentioned feasibility study.
