



**COUNCIL OF  
THE EUROPEAN UNION**

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**ENFOPOL 123**

**NOTE**

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from:	Presidency
to:	CATS
No prev. doc.:	CM 1083/10, 8043/1/10 REV 1 ENFOPOL 81
Subject:	Evaluation report on the degree of implementation of Council Decision 2007/412/JHA amending Decision 2002/348/JHA concerning security in connection with football matches with an international dimension

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Delegations will find attached the evaluation report on the degree of implementation of Council Decision 2007/412/JHA amending Decision 2002/348/JHA concerning security in connection with football matches with an international dimension<sup>1</sup>, as it results from the discussions in the Police Cooperation Working Party on 12 May 2010.

Article 2 of Decision 2007/412/JHA stipulates that "the Council shall evaluate the implementation of this Decision by 12 June 2010".

CATS is invited to agree on the attached evaluation report and to forward it to COREPER/Council for approval.

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<sup>1</sup> OJ L 155, 15.6.2007, p.76.

## **INTRODUCTION**

Decision 2002/348/JHA of 25 April 2002 concerning security in connection with football matches with an international dimension established national football information points (NFIP) in each Member State for the sharing of information whenever football matches involving more than two Member States were held, together with procedures to be followed.

On 12 June 2007 that Decision was partly amended by the adoption of Decision 2007/412/JHA with the aim of improving information exchange and bringing the Decision into line with the current situation. The amendments provided that NFIPs should have access to personal data on supporters that pose a risk, that NFIPs should produce and circulate to other national information points generic and/or thematic assessments of football disturbances in their countries, and finally that information was to be exchanged using the forms contained in the appendix to the handbook with recommendations for international police cooperation and measures to prevent and control violence and disturbances in connection with football matches with an international dimension.

Article 2 of Decision 2007/412/JHA stipulates that "the Council shall evaluate the implementation of this Decision by 12 June 2010".

Accordingly, to ascertain the extent to which the Decision was being applied, in January 2010 Spain sent all Member States a questionnaire containing five questions (CM 1083/10) to be answered by their national football information points.

Those questions were as follows:

- The role of the NFIP in each country
- Its access to data on risk supporters
- Its follow-up and dissemination of assessments of incidents connected with football matches in each country
- The tools used for information exchange.

## **EVALUATION OF THE REPLIES TO THE QUESTIONNAIRE**

The 27 European Union Member States have forwarded replies to the questionnaire [...].

**1. What is the exact role and power of the NFIP in your country in facilitating, coordinating or organising the implementation of international police coordination (Article 1(3) and Article 2(3))?**

In general all NFIPs are responsible for coordinating, facilitating and organising international police cooperation in connection with football, which includes in particular compiling and analysing all information relating to a sporting event and sharing it with the other NFIPs involved.

**2. Is the request for an international police delegation sent to/from your NFIP?**

In 24 (88,9 %) Member States (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Spain, Sweden, United Kingdom), the NFIP is responsible for sending/receiving all requests for the dispatch of foreign police delegations.

Only in three countries (Slovenia, Lithuania and Malta), or 11,1 % of the total, does the NFIP not have this responsibility, although the body/department that does perform this task in those States is not specified.

**3. Do you have a database on risk supporters in your country? Has your NFIP access to this database? Can your NFIP communicate these data to other countries? If yes, under what conditions? (Article 2(2) of the Decision)**

- (a) With regard to the existence of a database on risk supporters, the replies can be divided into three categories:
- 11 countries (40,7 %) (Austria, Belgium, Cyprus, Czech Republic, Germany, Greece, Italy, Poland, Romania, Sweden, United Kingdom) state that they have a database on risk supporters, to which the NFIP has access;
  - 9 countries (33,3 %) (Bulgaria, Denmark, Estonia, France, Hungary, Lithuania, Malta, Netherlands, Spain) do not have a database on risk supporters as such, although they do have other types of database to which the NFIP has access and from which data on risk supporters can be extracted (e.g. police records indicating that an offence/misdemeanour relates to a sporting event, database recording bans from stadiums or other sanctions imposed, etc.);
  - 7 countries (25,9 %) (Finland, Ireland, Latvia, Luxembourg, Portugal, Slovakia, Slovenia) state that they do not have a database of risk supporters, although **two** of them (Ireland and Finland) are currently setting one up or plan to do so in the near future.
- (b) As for the possibility of communicating these data to other countries, with the exception of Italy all NFIPs have that power, although such data transmission is subject to certain legal formalities in compliance with European rules (Prüm Treaty) and with those specific to each country (bilateral agreements, prior official requests, conditions and limitations governing use, etc.).

**4. Does your country perform generic or thematic disorder assessments of incidents at sporting events, in particular at football matches? How frequently are such assessments carried out?**

In **23 (85,1 %)** NFIPs (Austria, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Malta, Netherlands, Poland, **Portugal**, Romania, Slovenia, Spain, Sweden, United Kingdom), generic or thematic assessments are made of incidents in connection with sporting events, mainly football.

The frequency varies; some countries make weekly assessments after each set of matches, others every six months or annually, and yet others only in connection with an international sporting event.

The remaining **4 countries (14,8 %)** do not make reports and generic assessments of incidents, or in some cases only when a serious incident occurs in connection with a particular match.

**5. In the affirmative, do you disseminate such reports or assessments to other Member States?**

Such assessments are not generally disseminated to other countries except where they concern a specific team due to play in an international match or tournament. In such cases they are sent to the other country involved, either on the NFIP's own initiative or where a prior request is received from that country.

Some NFIPs (Netherlands, Belgium) publish the assessments on their web page, where they can be consulted.

Austria disseminates such assessments to its German and Swiss neighbours on a weekly basis.

**6. Regarding information sharing, do you use the appropriate forms contained in the appendix to the handbook with recommendations for international police cooperation and measures to prevent and control violence and disturbances in connection with football matches with an international dimension, in which at least one Member State is involved?**

Virtually all countries (92,5 %) – 25 Member States (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Spain, Sweden, United Kingdom) – use the forms for information sharing, although most of them do so via the NFIPs' web page, using the adapted forms included on the site; in a few cases a specific model is used adapted from those in the handbook. This does not prevent NFIPs from maintaining direct contact with each other, by telephone or e-mail.

Of the two remaining countries, the NFIP of Slovenia states that it uses the forms occasionally and that of Malta states that it does not use them, preferring to send the information by other means, principally e-mail.

**7. Concerning the abovementioned forms, what information would you add to or exclude from the same to improve and facilitate information sharing?**

In general all NFIPs consider the forms appropriate, although some urge all countries to share information via the NFIPs' web page.

The NFIP of Estonia proposes that the forms be used for sharing information on other sports, not just football.

The NFIP of Hungary argues that the forms include a number of unnecessary fields that repeat the same data, and therefore advocates use of the NFIPs' web page for information sharing.

Lastly, a number of NFIPs referred to the work being carried out by a subgroup of the Think Tank/PCWP Football Experts Group with a view to amending the forms, pointing out that they will cease to be an appendix to the cooperation handbook and will become available on the NFIPs' web page.

## **CONCLUSIONS**

Following the proposals made by the Member States' experts in sports events and the discussions held in the Working Party on Police Cooperation, the following conclusions have been agreed:

- The NFIPs of all the Member States are responsible for coordinating and facilitating the sharing of police information concerning football matches with an international dimension.
- Almost three-quarters of Member States' NFIPs have access to personal data on risk supporters from their respective countries, recorded either in specific risk-supporter databases or in other databases from which the same data can be extracted.
- Only a quarter of the Member States (Finland, Ireland, Latvia, Luxembourg, Portugal, Slovakia and Slovenia) do not have databases on risk supporters, which does not mean that their NFIP would not have access to such data should one be created in the future.
- As regards the production and circulation by NFIPs of generic or thematic national football disorder assessments, most countries do make these assessments, except for Cyprus, Ireland, Luxembourg and Slovakia.

- The assessments are carried out at different intervals (weekly, six-monthly, quarterly or annually), and none of the countries that carry them out circulate them to other States except where they relate to a particular team due to play in an international match or competition, and in many cases subject to a prior request from the other country.<sup>1</sup>

It follows from the above that **paragraph 6 added to Article 2 of the Decision** is applied by the majority of NFIPs only in respect of the first aspect it covers (the production of generic and/or thematic assessments), while the circulation of such assessments to other NFIPs is virtually nil.

- With regard to paragraph 4 added to Article 3 of the Decision (which provides for the exchange of information using the forms contained in the appendix to the handbook with recommendations for international police cooperation and measures to prevent and control violence and disturbances in connection with football matches with an international dimension in which at least one Member State is involved), virtually all the NFIPs (except for Slovenia, which uses them occasionally, and Malta, which generally uses other means) make use of these forms for sharing information.

It should be pointed out that an adapted version of these forms exists on the NFIPs' web page and is the tool mainly used at present by all Member States for information sharing, and is mentioned by many of the NFIPs in their replies.

It can therefore be concluded that this new paragraph of Article 3 is being applied by practically all the NFIPs.

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<sup>1</sup> Some exceptions to this rule are:

- The NFIP of the Czech Republic states that its assessments are circulated, without giving any further details.
- The NFIPs of BE and NL include these assessments on their respective web pages, where they can be consulted by the other countries.
- AT's NFIP circulates its weekly assessments to its German and Swiss neighbours only.