



**COUNCIL OF
THE EUROPEAN UNION**

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(OR. it)**

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NOTE

from: Italian Presidency
to: Police Cooperation Working Party

Nos. prev. docs.: OJ C 193, 24.6.1997, p. 1; OJ L 121, 8.5.2002, p. 1

Subject: Draft Council Decision on the use by Member States of bans on access to venues of football matches with an international dimension

Cooperation between Member States' police forces for football matches or competitions with a European dimension is very well developed. Intelligence on violent supporters' movements is promptly and systematically shared between European countries, with such cooperation being made even more effective by the stationing of police officers in the host country, where necessary, for the purpose of watching over travelling supporters from their own country, so as to provide the local authorities with suitable assistance.

The countries which gradually become integrated with the European Union, on joining it, will discover tried and tested Community cooperation proving very effective.

The provisions on international cooperation in this area were consolidated in a handbook updated in 2001, as a result of experience gained at the 2000 European Championship in Belgium and the Netherlands.

An important Council Decision of 25 April 2002 then made provision for the establishment in Member States of national offices for exchanging information on football violence and for other types of cooperation.

The progress made and the results achieved should lend encouragement for the pursuit of new objectives, in order to make police cooperation in this area even more effective, with important future footballing events, such as the 2004 European Championship in Portugal and the 2006 World Cup in Germany, in prospect.

In some Member States, bans from stadiums staging football matches, as imposed on individuals previously guilty of violent conduct, play a highly effective preventive role domestically.

The possibility of a similar system at European level has in the past been carefully considered, including at meetings of relevant national experts.

Drawing on the outcome of exploration of the issue in appropriate international forums as well, we have prepared the attached draft Council Decision in order to have Member States take steps to ban those previously guilty of violent conduct from stadiums staging matches with an international dimension.

**DRAFT COUNCIL DECISION ON THE USE BY MEMBER STATES OF
BANS ON ACCESS TO VENUES OF FOOTBALL MATCHES
WITH AN INTERNATIONAL DIMENSION**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1)(a) and (b) and Article 34(2)(c) thereof,

Having regard to the initiative from the Italian Republic,

Having regard to the Council Decision of 25 April 2002 concerning security in connection with football matches with an international dimension ¹,

Having regard to the Council Resolution of 6 December 2001 ²,

Having regard to the Council Resolution of 9 June 1997 on preventing and restraining football hooliganism through the exchange of information, exclusion from stadiums and media policy ³,

Having regard to the Joint Action of 26 May 1997 with regard to cooperation on law and order and security ⁴,

Whereas:

- under Article 29 of the Treaty, the Union's objective is to provide citizens with a high level of safety within an area of freedom, security and justice, in particular by developing common action among the Member States in the field of police cooperation.

¹ OJ L 121, 8.5.2002, p. 1.

² OJ C 22, 24.1.2002, p. 1.

³ OJ C 193, 24.6.1997, p. 1.

⁴ OJ L 147, 5.6.1997, p. 1.

- there is a steady increase in the number of people who almost routinely travel around Europe, on organised trips or individually, attending football matches or competitions in other countries.
- in some cases, incidents occur in which sporting passions degenerate into disturbances and violent conduct preventing people from freely enjoying sporting events in peace, thus bringing out particularly clearly the need to reassert the European Union as an area of freedom, justice and especially security.
- in recent years, Member States have devised coordinated policing measures to be taken for sporting events with a transnational dimension; those measures have proved very effective on a number of occasions and it is thus pleasing to see that cooperation between European Union countries' police forces in maintaining law and order at international football matches or matches with an international dimension is very well developed.
- information on supporters, on their movements to or through other countries and on their peaceful or violent nature is now promptly and systematically exchanged between European countries; in some cases, such cooperation is made even more effective by the stationing of police officers in countries staging international matches, for the purpose of watching over travelling supporters from their own country, so as to provide the local authorities with the necessary intelligence and operational support, under existing agreements and practices.
- international meetings of relevant experts have brought a profitable sharing of operational experience, making for the devising, under individual countries' own circumstances, of similar strategies for tackling disturbances, as well as the achievement of a minimum standard of preventive measures applicable in all countries.
- as a result of that body of experience built up at European level, the security arrangements for major sporting events, such as the Olympic Games, European Football Championships and World Football Cups, follow patterns already tried out on previous such occasions, as refined in the light of further experience.

- in 1999 the relevant provisions were brought together, spelt out and updated in a handbook, with the prime aim of consolidating in a single text the cooperation already under way in this area.
- the handbook was updated and extensively expanded by the Resolution of 6 December 2001 and now includes provisions on types of police cooperation (exchange of information, stationing of liaison officers at venues and information management), on the security arrangements to be ensured (which thus represent a European standard), on police-media relations, on cooperation with those escorting supporters ("stewards") and with event organisers, on stadium admission policy and on ticketing.
- an important Council Decision of 25 April 2002 then made provision for the establishment in all Member States of national offices for exchanging information on football violence, i.e. specially set up national units, whose aims and responsibilities were laid down in the Decision.
- the progress made and the results achieved should lend encouragement for the pursuit of new objectives, in order to make police cooperation in this area even more effective.
- bans from stadiums staging football matches, as imposed on those convicted of violent conduct, under some Member States' national law, have proved effective.
- for some while now, relevant experts have been exploring the possibility of introducing a similar system at European level,

HAS DECIDED AS FOLLOWS:

Article 1

Each Member State shall take appropriate steps to introduce into its system, where not already included, civil, administrative, criminal or sporting law provisions establishing a means of banning individuals previously guilty of violent conduct at sporting events from stadiums at which football matches are to be held.

Article 2

Each Member State in which stadium bans as referred to in Article 1 are available shall take appropriate steps to ensure that orders imposing them issued domestically are also applicable to football matches to be held in other Member States.

Article 3

In order to ensure compliance with their orders imposing stadium bans, Member States shall supplement them with provision for penalties under criminal or civil law in the event of non-compliance, or for special preventive action.

Article 4

In order to ensure that orders imposing stadium bans issued in one Member State are also complied with in other Member States, details of such orders shall be supplied to countries staging football matches with an international dimension.

Article 5

Details of banning orders issued in another Member State shall be supplied to countries staging football matches with an international dimension via the national football information points established by the Decision of 25 April 2002 concerning security in connection with football matches with an international dimension, in the manner laid down in Articles 3, 4 and 5 thereof.

Article 6

Any Member State staging a football match with an international dimension shall use details of those covered by banning orders issued in other countries, as received under Article 5, solely in order to deny them access to stadiums staging matches, where denial of access is possible under national law, or to take other appropriate measures to maintain law and order.

Article 7

Not later than two years after the adoption of this Decision, the Council shall make an assessment of its implementation.

Article 8

This Decision shall take effect on the day following its publication in the Official Journal.

Done at Brussels, ...

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