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REPORT

on the draft Council decision concerning security in connection with football matches with an international dimension
(12175/1/2001 – C5-0067/2002 – 2001/0824(CNS))

Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

Rapporteur: Gérard M.J. Deprez

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position
- *** Assent procedure
majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 19 September 2001 the Council consulted Parliament, pursuant to Article 39(1) of the EU Treaty, on the initiative of the Kingdom of Belgium with a view to the adoption of the Council decision concerning security in connection with football matches with an international dimension (11316/2001 - 2001/0824(CNS)).

At the sitting of 1 October 2001, the President of Parliament announced that she had referred this initiative to the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs as the committee responsible and to the Committee on Legal Affairs and the Internal Market and the Committee on Culture, Youth, Education, the Media and Sport for their opinions (C5-0435/2001).

By letter of 28 January 2002 the Council forwarded to Parliament its draft decision concerning security in connection with football matches with an international dimension (12175/1/2001 - 2001/0824(CNS)).

At the sitting of 27 February 2002, the President of Parliament announced that he had referred this draft to the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs as the committee responsible and to the Committee on Culture, Youth, Education, the Media and Sport for its opinion (C5-0067/2002).

The Committee on Citizens' Freedoms and Rights, Justice and Home Affairs had appointed Gérard M.J. Deprez rapporteur at its meeting of 16 October 2001.

The committee considered the draft Council decision and the draft report at its meetings of 16 October 2001, 3 December 2001, 22 January 2002 and 20 February 2002.

At the last meeting it adopted the draft legislative resolution by 38 votes to 3 with no abstentions.

The following were present for the vote: Ana Palacio Vallelersundi (chairman), Robert J.E. Evans, Giacomo Santini and Lousewies van der Laan, (vice-chairmen), Gérard M.J. Deprez, (rapporteur), Christian Ulrik von Boetticher, Alima Boumediene-Thiery, Giuseppe Brienza, Michael Cashman, Charlotte Cederschiöld, Carmen Cerdeira Morterero, Ozan Ceyhun, Carlos Coelho, Giuseppe Di Lello Finuoli, Francesco Fiori (for Marcello Dell'Utri pursuant to Rule 153(2)), Janelly Fourtou (for Thierry Cornillet pursuant to Rule 153(2)), Pernille Frahm (for Ilka Schröder pursuant to Rule 153(2)), Marie-Françoise Garaud (for Mario Borghezio), Evelyne Gebhardt (for Gerhard Schmid), Malcolm Harbour (for Mary Elizabeth Banotti pursuant to Rule 153(2)), Jorge Salvador Hernández Mollar, Pierre Jonckheer, Margot Keßler, Timothy Kirkhope, Eva Klamt, Ole Krarup, Alain Krivine (for Fodé Sylla), Baroness Sarah Ludford, Hartmut Nassauer, Elena Ornella Paciotti, Paolo Pastorelli (for Bernd Posselt), Hubert Pirker, Martine Roure, Heide Rühle, Ole Sørensen (for William Francis Newton Dunn), Patsy Sørensen, The Earl of Stockton (for The Lord Bethell), Joke Swiebel, Anna Terrón i Cusí, Maurizio Turco and Gianni Vattimo (for Valter Veltroni).

The opinion of the Committee on Culture, Youth, Education, the Media and Sport is attached. The Committee on Legal Affairs and the Internal Market decided on 6 November 2001 not to

deliver an opinion.

The report was tabled on 21 February 2002.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

LEGISLATIVE PROPOSAL

Draft Council decision concerning security in connection with football matches with an international dimension (12175/1/2001 – C5-0067/2002 – 2001/0824(CNS))

The proposal is amended as follows:

Text proposed by the Commission
(12175/1/2001)¹

Amendments by Parliament

Amendment 1
Citation 1a (new)

- having regard to the Council of Europe Convention of 28 January 1981 for the protection of individuals with regard to automatic processing of personal data, and to Recommendation No R (87)15 of the Committee of Ministers of the Council of Europe of 17 September 1987 regulating the use of personal data in the police sector,

Justification

The reference to the 1981 Council of Europe Convention and to Recommendation No R(87)15 of the Committee of Ministers is justified in the light of one of the tasks assigned to the national information points concerning personal data.

Amendment 2
Citation 1b (new)

- having regard to the Council of Europe Convention of 19 August 1985 on spectator violence and misbehaviour at sports events and in particular at football matches,

¹ Not yet published in the Official Journal.

Justification

Addition of a relevant reference. There is a need to show clearly that the draft decision is a continuation of numerous previous initiatives which were, most frequently, non-binding.

Amendment 3
Citation 1c (new)

- having regard to the Council's joint action of 26 May 1997 with regard to cooperation on law and order and security¹,

Justification

Addition of a relevant reference. There is a need to show clearly that the draft decision is a continuation of numerous previous initiatives which were, most frequently, non-binding.

Amendment 4
Citation 1d (new)

- having regard to the Council resolution of 9 June 1997 on preventing and restraining football hooliganism through the exchange of experience, exclusion from stadiums and media policy²,

Justification

Addition of a relevant reference. There is a need to show clearly that the draft decision is a continuation of numerous previous initiatives which were, most frequently, non-binding.

¹ OJ L 147, 5.6.1997, p. 1.

² OJ C 193, 24.6.1997, p.1.

Amendment 5
Citation 1e (new)

- having regard to the Council resolution of 6 December 2001¹ concerning a 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,

Justification

Addition of a relevant reference. There is a need to show clearly that the draft decision is a continuation of numerous previous initiatives which were, most frequently, non-binding.

Amendment 6
Recital –1 (new)

(-1) Under the terms of Article 29 of the Treaty on European Union, the Union's objective shall be to provide citizens with a high level of safety within an area of freedom, security and justice by developing common action among the Member States in the field of police cooperation.

Justification

Addition of a relevant reference which stresses that the draft decision falls entirely within the general framework of the Union's powers, as defined by the Treaties.

¹ Not yet published in the Official Journal.

Amendment 7
Recital –1a (new)

(-1a) Recent experience has shown that before, during and after football matches, particularly in the context of international competitions, serious disturbances have occurred in a number of countries, both inside and outside stadiums, and have resulted in severe damage to persons and property.

Justification

The proposed new recital strengthens the basic legitimacy of the draft decision by making reference to the existence and the seriousness of the problems to which it intends to provide a more effective response than is currently the case.

Amendment 8
Recital 1

(1) As a result of ***various*** international and European competitions and large numbers of travelling supporters, football is becoming ***highly*** international in scale. ***That international scale makes it necessary to approach security in connection with football matches in a way extending beyond national borders.***

(1) As a result of ***the development of*** international and European competitions and ***the*** large numbers of travelling supporters ***associated therewith***, football is becoming ***increasingly*** international in scale, ***which entails an increase in the potential risk of disturbances and, therefore, a need to extend and strengthen cooperation between the Member States in the field of law and order and security.***

Justification

Same justification as for Amendment 7, with the stress on the increase in potential risks and, therefore, a need for more systematic and better organised cooperation between the services responsible for law and order and security.

Amendment 9
Recital 2

(2) Football *should be regarded not just as a potential source of problems regarding breaches of law and order or security but as an event which, in spite of the possible risk, has to be handled efficiently.*

(2) Football, *as the leading popular sport in Europe, has a symbolic significance, particularly among young people; it is therefore essential, as stated in Annex IV to the Treaty of Nice, that it should be 'a factor making for integration, involvement in social life, tolerance, acceptance of differences and playing by the rules', which calls for more efficient control of the risks of disturbances in connection with sporting events,*

Justification

More positive wording than the original recital through the addition of an explicit reference to the annex to the Treaty of Nice concerning the role of sport in society.

Amendment 10
Recital 3

(3) To allow *a* Member State to manage a football event in all its aspects efficiently and in particular for the purposes of preventing and controlling football-related violence, it is crucially important to exchange information, so that the police and the authorities competent in these Member States can make proper preparations and provide an appropriate response.

(3) To allow *each* Member State to manage a football event in all its aspects efficiently and in particular for the purposes of preventing and controlling football-related violence, it is crucially important *to establish close cooperation and* to exchange information *in an organised fashion* so that the police and the authorities competent in *the Member State or States concerned* can make proper preparations and provide an appropriate response.

Justification

More precise wording than the original recital, stressing the more organised nature of cooperation and exchange of information which should exist between the services concerned.

Amendment 11

Recital 4

(4) **For** exchange of information in relation to a football event and with a view to the necessary international police cooperation in connection with football matches with an international dimension, it is crucially important to establish a national football information **point** of a police nature **in each Member State**,

(4) **In order to achieve maximum efficiency in the** exchange of information in relation to a football event and with a view to the necessary international police cooperation in connection with football matches with an international dimension, it is crucially important to establish **a European network of** national football information **points** of a police nature,

Justification

More precise wording in order to stress that the setting up of national football information points is justified under the draft decision only insofar as they are capable of cooperating closely among themselves, i.e. if they operate as a network, even if the network is activated only on specific occasions (matches or competitions).

Amendment 12

Article 1, paragraph 2

Details of the national football information point designated and any subsequent amendments thereto shall be forwarded to the General Secretariat of the Council **which** shall have them published in the Official Journal.

Each Member State shall notify the General Secretariat of the Council in writing of the operational details of its national football information point, and any subsequent modification, under this Decision. The General Secretariat of the Council shall have them published in the

Justification

More precise wording.

Amendment 13
Article 1, paragraph 3, second sentence

A Member State can decide to organise certain contacts on football-related aspects through the services competent for those specific aspects on the condition that the national football information point is informed ***minimally and insofar as it does not jeopardise the quality and the efficiency of the activities.***

However, if it seems necessary, in order to improve the quality, speed and efficiency of intervention, and on condition that the national football information point is ***duly informed, Member States may agree that certain contacts relating to football match security may take place directly between services competent for such matters.***

Justification

The amendment seeks to highlight the fact that each national football information point should act as a single and central contact point for the organisation of police cooperation among the Member States. If the Member States agree that direct contacts may take place between competent services, this may take place only in respect of specific aspects with a view to improving operational efficiency and provided that the national information points are duly informed.

Amendment 14
Article 2

Each Member State shall take all necessary steps to ***ensure that its*** national football information point ***is equipped with the physical resources required for the prompt and efficient performance of*** the tasks assigned to it under this Decision. ***The staffing of national football information points shall ensure*** the necessary police expertise regarding problems in connection

Each Member State shall take all necessary steps to ***enable the*** national football information point ***to perform promptly and efficiently*** the tasks assigned to it under this Decision. ***Member States shall provide their national points with the appropriate facilities and resources and shall ensure that the staff assigned thereto have available*** the necessary police expertise

with football events.

regarding problems in connection with football events.

Justification

In addition to facilities and resources, the Member States must provide the national points with the information they require for the efficient operation thereof. The efficiency of such national points is dependent thereon.

Amendment 15
Article 3, paragraph 2

National football information points shall, ***in accordance with the domestic and international rules applicable, have access to*** information involving personal data on high-risk supporters.

National football information points ***shall be responsible for the control of*** information involving personal data on high-risk supporters ***in accordance with the provisions of Article 4(3).***

Justification

This amendment seeks to reinstate the original paragraph of the draft decision and to bring it into line with the Council's resolution of 6 December 2001 which expressly stipulates that 'national football information points shall be responsible, in accordance with the domestic and international rules applicable, for the control of information involving personal data on high-risk supporters.'

Amendment 16
Article 3, paragraph 4, second sentence (new)

To that end, it shall maintain an up-to-date analysis of the risks posed by supporters of the clubs and the national team of its Member State.

Justification

The proposed addition to the original text is in response to a recommendation expressly made in the Council's resolution of 6 December 2001 which states that 'the national football information

point should maintain an up-to-date analysis of its own clubs and its own national team'. If that were not the case, it is difficult to appreciate the operational benefit of a national football information point for others.

Amendment 17
Article 4, paragraph 3

Personal data shall be exchanged, ***in accordance with the domestic and international rules applicable, taking account of the principles*** of Convention No 108 of the Council of Europe of 28 January 1981 for the protection of individuals with regard to automatic processing of personal data and the Recommendation No R(87) 15 of the Committee of Ministers of the Council of Europe of 17 September 1987 regulating the use of personal data in the police sector.

Such exchanges shall be with a view to ***preparing and taking*** the appropriate measures to maintain law and order in connection with a football event; ***such data may in particular involve details of individuals actually or potentially posing a threat to law and order and security.***

Personal data shall be ***collected, processed, used, stored and*** exchanged ***pursuant to this Decision and*** in accordance with ***the provisions*** of Convention No 108 of the Council of Europe of 28 January 1981 for the protection of individuals with regard to automatic processing of personal data and the Recommendation No R(87) 15 of the Committee of Ministers of the Council of Europe of 17 September 1987 regulating the use of personal data in the police sector.

The exchange of personal data, in particular data concerning individuals who, on the basis of their history, actually or potentially pose a threat to law and order and security, must be made with a view to ***helping to prepare and take*** the appropriate measures to ***prevent disturbances and ensure that*** law and order ***is maintained*** in connection with a football event.

Justification

The notion of persons who might constitute a threat to law and order is too vague. It should be spelt out that the contact points may manage personal data relating to persons of whom it is known that they have already committed acts of violence. Provision must also be made for notification of, access and correction to, storage and erasing of personal data.

Amendment 18
Article 5, Heading

Procedure for communication *between* national football *information* points.

Procedure for communication *within the European network of* national football *contact* points.

Justification

For consistency with Amendment 11 to recital 4.

Amendment 19
Article 5, paragraph 2

The national football information point in the Member State hosting a football event shall communicate, *throughout* the competition and/or match, with the national police force(s) in any countries concerned, where appropriate via the liaison officer(s) appointed and supplied by such countries. Liaison officers may be contacted in the subject areas of law and order, football-related violence, ordinary crime and terrorism.

The national football information point in the Member State hosting a football event shall communicate, *before, during and after* the competition and/or match, with the national police force(s) in any countries concerned, where appropriate via the liaison officer(s) appointed and supplied by such countries. Liaison officers may be contacted in the subject areas of law and order, football-related violence, ordinary crime and terrorism.

Justification

Information should be exchanged before, during and after a match, not just during a match.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the draft Council decision concerning security in connection with football matches with an international dimension (12175/1/2001 – C5-0067/2002 - 2001/0824(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the initiative of the Kingdom of Belgium (11316/2001¹)
 - having regard to the draft Council decision (12175/1/2001²),
 - having regard to Article 34(2)(c) of the EU Treaty,
 - having been consulted by the Council pursuant to Article 39(1) of the EU Treaty (C5-0067/2002),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and to the opinion of the Committee on Culture, Youth, Education, the Media and Sport (A5-0047/2002),
1. Approves the draft Council decision as amended;
 2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 3. Asks to be consulted again if the Council intends to amend the draft Council decision substantially;
 4. Instructs its President to forward its position to the Council, the Commission and the Government of the Kingdom of Belgium.

¹ Not yet published in the Official Journal.

² Not yet published in the Official Journal.

EXPLANATORY STATEMENT

1. The problem

Sport in general, and football in particular, occupy a very special position in society both in defining behaviour and in the collective imagination. The number of people who play football is impressive, not to mention the dreams of success and stardom which occupy the minds of many young people. The crowds which regularly travel to big matches are quite simply staggering. The number and the passion of television viewers is even more so. Football today is a massive game, a massive spectacle and a massive business.

Too often, unfortunately, it is also the stage on which unacceptable aggression, rioting and violence are acted out with scant regard for sporting principles or respect for persons and property. The most serious disturbances often tend to occur when matches or competitions involve national teams or clubs from different countries.

No Member State totally escapes the risk of disturbances, even if some matches are more sensitive than others and the supporters of some clubs or national teams are officially more controllable than others.

At all events, there is an urgent need for the Member States to equip themselves with the requisite resources so that they may prevent and control more effectively the risk of violence during international competitions

2. The procedure

Article 34 of the Treaty on European Union provides that the Council, acting unanimously on the initiative of any Member State or of the Commission, may adopt decisions with a view to strengthening operational cooperation between police forces. The present initiative has been put forward by the Kingdom of Belgium. Pursuant to Article 39 of the Treaty on European Union, the Council must consult the European Parliament before adopting its decision.

3. The substance

The draft decision is based on three observations:

- 3.1. The amount of football taking place on an international scale is currently increasing rapidly (European cups, European Championship, World Cup, etc.), which, owing to the increase in the number of travelling supporters, entails greater risk of disturbances, or even violence, during competitions.
- 3.2. To prevent disturbances and maintain law and order in connection with football matches with an international dimension, it is essential to have an organised and efficient system of general and specific information and to improve coordination between the organisations responsible for security.
- 3.3. The current system of information exchange, based on non-binding agreements and ad hoc contacts, has demonstrated its weakness if not its inefficiency. Often, the people who should act as contacts no longer work in the sector or are unable to provide the necessary information with the required speed and accuracy.

To remedy this situation, the draft decision proposes to make it compulsory, in each Member State, to set up or designate a national football information point to act as a single, direct and central point of contact between the authorities and the police forces of the Member States involved in the organisation of a match or competition with an international dimension.

The task of each national football information point, which must have the necessary resources and qualified staff, is to coordinate the exchange of information between the relevant services and to organise or coordinate international police cooperation.

Exchange of information between the national information points involves data of a general nature (types of supporter, high-risk groups, etc.) and personal data (individuals posing risks to law and order and security, etc.).

4. Position of the rapporteur

Your rapporteur fully supports the objective of the draft decision, i.e. to make it compulsory in each Member State to set up or designate a permanent national football information point with a view to optimising cooperation between the services responsible for maintaining law and order at football matches or competitions with an international dimension.

Your rapporteur also considers that each national football information point should constitute a single, direct and central point of contact for the exchange of information and for establishing international police cooperation.

Exemptions from this rule are authorised only on condition that the national football information point is duly informed and that exemption would improve the effectiveness of the relevant measures.

Finally, your rapporteur considers that the national football information point should be given the responsibility for controlling information concerning personal data on high-risk supporters, while respecting the domestic and international provisions protecting individual rights.

All the amendments proposed by your rapporteur therefore seek to clarify the basis for the draft decision and to strengthen the operational nature of the network.

5. Reference documents

Several versions of the draft decision were published during the second half of 2001 as the debate within the Council's working parties progressed.

The reference version for this report is the final known version drawn up under the Belgian Presidency, document ENFOPOL 103/REV 1 of 16 November 2001.

This version represents a step back from previous versions on a number of points but also makes certain advances, with particular regard to the protection of personal data.

In addition, the Council adopted a resolution on 6 December 2001 concerning a 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.

Your rapporteur has made use of the previous versions of the draft decision and the above resolution whenever it seemed necessary in order to improve the efficiency of the proposed system.

10 January 2002

OPINION OF THE COMMITTEE ON CULTURE, YOUTH, EDUCATION, THE MEDIA AND SPORT

for the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

on the proposal for a Council decision on security in connection with football matches with an international dimension
(11316/2001 – C5-0435/2001 – 2001/0824(CNS))

Draftsman: Marieke Sanders-ten Holte

PROCEDURE

The Committee on Culture, Youth, Education, the Media and Sport appointed Marieke Sanders-ten Holte draftsman at its meeting of 16 October 2001.

It considered the draft opinion at its meetings of 26-27 November 2001 and 7-8 January 2002.

At the latter meeting it adopted the following amendments unanimously.

The following were present for the vote: Giuseppe Gargani, chairman; Marieke Sanders-ten Holte, draftsman; Ole Andreasen, Pedro Aparicio Sánchez, Thierry de La Perriere, Marielle de Sarnez, Christine de Veyrac, Janelly Fourtou (for Vasco Graça Moura), Geneviève Fraisse, Jas Gawronski (for Mario Mauro), Lissy Gröner, Christopher Heaton-Harris, Ruth Hieronymi, Hans Karlsson (for Barbara O'Toole), Lucio Manisco, Maria Martens, Doris Pack, Roy Perry, Christa Prets, The Earl of Stockton (for Mónica Ridruejo), Eurig Wyn, Theresa Zabell, Sabine Zissener and Myrsini Zorba (for Valter Veltroni).

SHORT JUSTIFICATION

1. **Procedure:** Under Article 34 of the EU Treaty, the Council may adopt decisions under the 'third pillar' (police and judicial cooperation in criminal matters) on an initiative from the Commission or from a Member State. This initiative comes from the Belgian Presidency.
2. **International football and hooliganism:** Football is Europe's number-one sport. At amateur level, it is acknowledged to have an important social function, promoting health but also values such as team work and a sense of fair play. Professional football, especially at international level, is big business. Unfortunately, professional football is often marred by hooliganism and violence, both inside and outside stadiums. No Member State is without its

football hooligans, but controlling violence associated with international matches presents particular problems. A number of Member States have introduced laws which empower the judicial authorities to ban known (or suspected) football hooligans from travelling abroad when international matches are being played. Exchanges of information between national police forces can help the authorities to prevent known hooligans from entering countries hosting international matches. And the certainty of prosecution, either in the country hosting an international match or in the hooligan's home state, would certainly reduce violence and disorder associated with international football.

3. **The draft decision:** The draft decision argues that exchanges of information between the competent national authorities play an important role in maintaining law and order at international football matches. However, the present system for exchanging information, which is based on non-binding arrangements and ad hoc contacts between national authorities and is confined largely to exchanging information on football fans who are thought likely to cause trouble, has proved unsatisfactory. What is needed, the draft decision suggests, is for each Member State to establish or designate a police-run national football information centre (at present, only the UK, Germany, the Netherlands and Belgium operate such centres on a permanent basis) to act as a 'single, central, direct contact point'. The centres would be charged with the 'compilation, processing and assessment of information on the nature of all supporters, both for supporters generally and, in particular, for high-risk supporters'.

4. **Draftsman's comments:** While they are of some help, the measures which Member States have taken to combat football hooliganism, and the provisions of the draft decision, cannot solve the problem. Courts are (rightly) reluctant to restrict the free movement of those who do not have criminal records. Again, Member States often prefer to deport - rather than prosecute - foreign fans arrested at football matches. There is, moreover, mounting and worrying evidence that football hooliganism and violence are not the product simply of tiny minorities of thugs and right-wing extremists, nor simply of drunkenness. Given its popularity, it is unsurprising that football brings to the surface the fault-lines (racial, tribal, sectarian) which run through all societies. According to one expert, aggressive behaviour and football-related violence are 'basically about masculinity, territorial struggle and excitement': they are 'a central source of meaning, status or "reputation", and pleasurable emotional arousal.' Heavy-handed policing only encourages confrontation.

5. Hooliganism and disorder at football matches are essentially criminal justice, rather than sporting or cultural, problems. However, your draftsman proposes a number of amendments to the draft decision in areas which are the responsibility of the Committee on Culture:

- New recital: Adds a reference to the Declaration on sport annexed to the Treaty of Nice, underlining the wider social significance of sport.
- New recital: Underlines the prime responsibility of sporting organisations and Member States for the conduct of sports affairs.
- Article 3(5): Greater involvement of the teams and supporters' associations might help to improve the behaviour of football fans. Players and managers, for instance, could be much more forthright in their condemnation not merely of violence outside the stadium but of racist or xenophobic chanting and booing of foreign anthems by supporters inside the stadium. Again, supporters' associations might stress that travelling fans are ambassadors for their country and that they should behave accordingly. Both teams and supporters'

associations should be consulted when the national authorities are preparing their profiles of teams in advance of international matches.

- Article 4(2): Unnecessarily confrontational policing might be avoided if the police were better informed about culturally-specific patterns of behaviour of visiting fans. Such points should also be included in the regular information exchanges which the draft decision foresees.

AMENDMENTS

The Committee on Culture, Youth, Education, the Media and Sport calls on the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1

Recital -1 a new

The Annex on the specific characteristics of sport and its social function in Europe, annexed to the conclusions of the Nice European Council of 7-10 December 2000, states that sport is 'a factor making for integration, involvement in social life, tolerance, acceptance of differences and playing by the rules', and that the Community must therefore 'take account of the social, educational and cultural functions inherent in sport'.

Justification

Adds a relevant reference.

Amendment 2

Recital -1 b (new)

That Annex further states that 'sporting organisations and Member States have a primary responsibility in the conduct of sporting affairs'.

¹ OJ C 258, 15.9.2001, p. 7.

Justification

Adds a relevant reference underlining the primary responsibility of Member States and sporting organisations for the conduct of sporting affairs.

Amendment 3
Recital -1c (new)

Leading sportsmen and women are regarded by young people as role models and should publicly distance themselves from football hooliganism.

Justification

Underlines the role of players in combating football hooliganism.

Amendment 4
Article -1 (new)

For the purposes of this Decision, the term 'international dimension' shall mean friendly or competitive matches between national sides (e.g. Germany, France, etc.) and club matches between teams from different countries.

Justification

A clear definition of the term 'international dimension' is needed.

Amendment 5
Article 2

Staffing and equipment of national football information centres

Each Member State shall take ***all*** necessary steps to ensure that its national football information centre is equipped with the physical resources required for the prompt and efficient performance of the tasks assigned it under this Decision. The staffing

Staffing and equipment of national football information centres

Each Member State shall take ***the*** necessary steps to ensure that its national football information centre is equipped with the physical resources required for the prompt and efficient performance of the tasks assigned it under this Decision. The staffing

of national football information centres shall ensure the necessary police expertise regarding problems in connection with footballing events.

of national football information centres shall ensure the necessary police expertise regarding problems in connection with footballing events.

Each Member State shall, however, in accordance with the principle of flexibility and subsidiarity, have the right to organise its national information centre so as to maximise its efficiency and ensure that it is adapted in the best possible manner to the actual circumstances. It shall operate in close cooperation with UEFA, national football associations and local football match organisers.

Justification

In order to optimise the functioning of an organisation of this kind, it is very important to ensure that it is adapted to national conditions and cooperates closely with sports associations.

Amendment 6 Article 3, paragraph 1

National football information centres shall be responsible for coordinating police information exchange in connection with football matches with an international dimension. Such information exchange may also involve other law enforcement authorities contributing to security or law and order.

National football information centres ***shall liaise with UEFA, with national associations of football clubs, with individual football clubs and with supporters' organisations.*** They shall be responsible for coordinating police information exchange in connection with football matches with an international dimension. Such information exchange may also involve other law enforcement authorities contributing to security or law and order.

Justification

UEFA, national associations of football clubs, individual clubs and supporters' organisations all have a role to play in combating football hooliganism. National football information centres must therefore liaise with them.

Amendment 7
Article 4, paragraph 1

Before, during and after a footballing event, national football information centres shall engage in mutual exchange of **general** information and, subject to the conditions laid down in paragraph 3, personal data.

Before, during and after a footballing event, national football information centres shall engage in mutual exchange of **specific** information and, subject to the conditions laid down in paragraph 3, personal data.

Justification

Information exchanged should be specific and relevant to security in connection with football matches with an international dimension.

Amendment 8
Article 4, paragraph 2

2. The **general** information exchanged in connection with a football match with an international dimension shall comprise strategic, operational and tactical information. Such information shall be defined as follows:

- strategic information: information specifying all aspects of the event, with particular reference to security risks involved in it;
- operational information: information providing an accurate picture of proceedings in the course of the event;
- tactical information: information enabling those in charge of operations to take appropriate action for the purposes of maintaining order and security in connection with the event.

2. The **specific** information exchanged in connection with a football match with an international dimension shall comprise strategic, operational and tactical information. Such information shall be defined as follows:

- strategic information: information specifying all aspects of the event – **including background information on culturally-specific forms of behaviour exhibited by supporters** - with particular reference to security risks involved in it;
- operational information: information providing an accurate picture of proceedings in the course of the event;
- tactical information: information enabling those in charge of operations to take appropriate action for the purposes of maintaining order and security in connection with the event.

Justification

Information exchanged should be specific and relevant to security in connection with football matches with an international dimension. There is extensive evidence that insensitive policing,

which misinterprets harmless, culturally-specific forms of behaviour exhibited by football supporters attending international matches, may provoke confrontation between the police and football fans.

Amendment 9
Article 4, paragraph 2 a (new)

Further consideration should also be given to increasing the presence of national police forces at tournaments where violence might occur.

Justification

Adds a relevant reference regarding the importance of having police forces informed of the type of offenders that might be present at football tournaments.

Amendment 10
Article 5, paragraph 1

Handling of information on matches with an international dimension shall be coordinated by way of national information centres. After processing, information shall either be used by a national football information centre itself or be passed on to the relevant authorities and police forces. Contacts between police forces in different countries involved in a footballing event shall be coordinated and, where appropriate, arranged for by national football information centres.

Handling of information on matches with an international dimension shall be coordinated by way of national information centres. After processing, information shall either be used by a national football information centre itself or be passed on to the relevant authorities and police forces. ***The host information centre or other relevant authorities and police forces, if offered information, shall accept the offer and agree to the information's use if legal proceedings follow the football event itself.*** Contacts between police forces in different countries involved in a footballing event shall be coordinated and, where appropriate, arranged for by national football information centres.

Justification

Protects citizens' rights, ensuring that any legal proceedings will be unbiased and take all available information and evidence into account. Relevant authorities must accept any information that is offered by information centres before and after the event.

Amendment 11
Article 5, paragraph 2

The national football information centre in the Member State hosting a footballing event shall communicate, **throughout** the competition and/or match, with the national police force(s) in any countries concerned, where appropriate via the liaison officer(s) appointed and supplied by such countries. Liaison officers may be contacted in the subject areas of law and order, football-related violence, ordinary crime and terrorism.

The national football information centre in the Member State hosting a footballing event shall communicate, **before, during and after** the competition and/or match, with the national police force(s) in any countries concerned, where appropriate via the liaison officer(s) appointed and supplied by such countries. Liaison officers may be contacted in the subject areas of law and order, football-related violence, ordinary crime and terrorism.

Justification

Information should be exchanged before, during and after a match, not just during a match.

Amendment 12
Article 5, paragraph 3 a (new)

Rules governing European football clubs with a bad track record of hooliganism and inciting violent behaviour must be made clearer, and an infrastructure must be put in place to enable these rules to be applied rigidly and swiftly. Consideration must also be given to extending such rules to national teams in international games and tournaments.

Justification

Adds a relevant reference regarding the importance of clear rules to govern of football clubs and national teams.

Amendment 13
Article 6

National football information centres shall each communicate in their own language, with a translation in a working language common to both sides, save as otherwise arranged between the parties concerned.

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arranged between the parties concerned.

However, if an individual is prosecuted for football-related offences, that individual must be entitled to translation of documents and interpretation into his/her own language at any court proceedings.

Justification

Guarantees that the individual is fully aware of the charges levelled against him/her and is able to follow the trial. It will also ensure that defendants are able to prepare their defence in advance and understand the court proceedings.

Amendment 14
Article 6 a (new)

An assessment shall be made of the cost to the Member States of maintaining order during football matches. A study shall also be carried out into how football clubs can be made liable for contributing financially towards such costs.

Justification

It is only fair that society should not have to pay the high cost of maintaining order on its own. There is an urgent need to ensure that football clubs assume their share of the responsibility.