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*(Information)***COUNCIL****COUNCIL RESOLUTION****of 17 November 2003****on the use by Member States of bans on access to venues of football matches with an international dimension**

(2003/C 281/01)

THE COUNCIL OF THE EUROPEAN UNION,

Recalling the Council Decision 2002/348/JHA of 25 April 2002 concerning security in connection with football matches with an international dimension <sup>(1)</sup>,

Taking account of the Council Resolutions of 9 June 1997 <sup>(2)</sup> and 6 December 2001 <sup>(3)</sup> on preventing and restraining football hooliganism,

Whereas:

— under Article 29 of the Treaty on European Union, 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;

— there is a steady increase in the number of people who routinely travel around Europe, on organised trips or individually, attending football matches or competitions in other countries;

— incidents have occurred in which sporting passions have degenerated 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 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 effective and it is thus pleasing to see that cooperation between European Union Member States' 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 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 Football World Cups, follow patterns already tried out on previous such occasions, as refined in the light of subsequent experiences;

— 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, on the security arrangements to be ensured, on police-media relations, on cooperation with those escorting supporters ('stewards') and with event organisers, on stadium admission policy and on ticketing;

— Council Decision 2002/348/JHA 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;

<sup>(1)</sup> OJ L 121, 8.5.2002, p. 1.

<sup>(2)</sup> OJ C 193, 24.6.1997, p. 1.

<sup>(3)</sup> OJ C 22, 24.1.2002, p. 1.

- effective handling of domestic and international football matches calls for a comprehensive approach involving all parties with an interest in them; smooth cooperation between police forces, organisers and sports bodies is therefore to be desired;
  - 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 under some Member States' national law and imposed on persons previously guilty of violent conduct, have proved particularly effective;
  - the possibility of introducing a similar system at European level has been closely studied on past occasions, including meetings of national experts;
  - the arrangements adopted by the organisers for ticket allocation can also contribute effectively to the security of football matches, with the particular aim of separating rival supporters, preventing overcrowding and keeping visitor flows under control, as well as enforcing stadium bans imposed by competent authorities or sports bodies,
4. If there are stadium bans in a Member State imposed by sports organisations, the competent authorities of this Member State are invited, where appropriate, to contact these organisations to examine whether such stadium bans issued domestically could be applicable to football matches which are to be held in other countries. Member States, where appropriate, will invite the sports organisations to exchange the information between themselves.
  5. With regard to the provisions of paragraphs 1 to 4, information on details of orders imposing stadium bans issued domestically should be transmitted to countries staging football matches with an international dimension via the national football information points established by Decision 2002/348/JHA, in the manner laid down in Articles 3, 4 and 5 thereof.
  6. Nothing in this Resolution should be interpreted as departing from the principle that the exchange of personal data shall comply with the relevant national and international legislation, bearing in mind the principles in Council of Europe Convention No 108 of 28 January 1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data as well as, where appropriate, in Recommendation No R(87) 15 of 17 September 1987 of the Committee of Ministers of the Council of Europe regulating the Use of Personal Data in the Police Sector.

HEREBY ADOPTS THIS RESOLUTION:

1. The Member States are invited to examine the possibility of introducing provisions establishing a means of banning individuals previously guilty of violent conduct at football matches from stadiums at which football matches are to be held.
  2. In order to ensure compliance with orders imposing stadium bans, Member States should supplement them with provision for penalties in the event of non-compliance.
  3. Each Member State in which stadium bans as referred to in paragraph 1 are in force is furthermore invited to consider the possibility of taking appropriate steps to ensure that orders imposing them issued domestically may also be extended to cover certain football matches held in other Member States and take into account orders issued by other Member States.
  7. Any Member State staging a football match with an international dimension should use details of those covered by banning orders issued in other countries, as received under point 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. The use and storage of personal data should be restricted to the football matches in relation to which the details were transmitted.
  8. Member States staging a football match with an international dimension are invited to ensure that their police forces establish the necessary contacts with the event's organisers and with the competent authorities or sports bodies having an interest in it, for the purposes of coordinated cooperation under this Resolution, within their respective spheres of responsibility.
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