Council Conclusions adopting the 2011-2013 EU Work Programme on minimising safety, security and public order risks in connection with sports events, in particular football matches, with an international dimension

3051st JUSTICE and HOME AFFAIRS Council meeting
Brussels, 2 and 3 December 2010

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION

HAVING REGARD TO THE FOLLOWING:

1. In line with the European Union’s objective, inter alia, of providing 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 policing, a work programme of measures designed to minimise safety and security risks in connection with football matches with an international dimension has first been adopted by the Council on 6-7 December 2007 (doc. 15615/07 ENFOPOL 198), and a revised work programme has now been drawn up. Working procedures and structures may also be used in an identical or similar way in international cooperation with third countries. Whilst the work programme is primarily focused on football, the outcome may have an impact on the measures to be taken for other sporting events. If, on the basis of a risk assessment, it is deemed necessary to do so, expert meetings can be organised for other sports events.

2. The measures contained in the work programme fall primarily within national competence and are without prejudice to existing laws, policing and other arrangements in the Member States, in particular the division of responsibility among different authorities and services in the Member States concerned.
3. The work of the Law Enforcement Working Party (LEWP) football experts group provides an appropriate basis for taking forward most of the annexed work programme and, where necessary or desirable, for preparing proposals for approval by the Council. It is crucial therefore that each Presidency should continue to organise at least one meeting of the LEWP football experts group and that representatives of the group continue to meet on an ad hoc basis to consider the impact of current and proposed measures and emerging trends and themes. There can be no complacency as football safety and security is a continually evolving phenomenon.

4. An overview of the responsible actors for each measure and of the progress made on the work programme should continue to be drawn up through an annual action plan, to be approved by the Council. This working method provides clarity on the responsibilities of each organisation or agency and ensures at each level an efficient follow-up of emerging problems and measures that are proposed, implemented and evaluated.

5. The work programme should be based on an effective and harmonious cooperation with institutions, organisations, agencies and bodies at local, regional, national, European and international level. Based on a strengthened cooperation between EU institutions, key priorities include:

- In view of the important role of the European Commission following the adoption of the Treaty of Lisbon, the Council should work closely with the European Commission in taking forward and implementing this work programme;

- In accordance with Europol’s mandate, as determined by the Council Decision establishing the European Police Office and Council Decision 2007/412/JHA concerning security at football matches with an international dimension, the Council should work together with Europol in identifying all possible fields of cooperation at major sports events;

- The LEWP football experts group should look for synergy with experts from European Sports Ministries and/or other competent Ministries, for example, as regards social-preventative work, educational measures, etc.;

- The EU should continue to work in very close partnership with the Council of Europe Standing Committee on the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (T-RV);

- The EU should continue to work with international sports associations, such as UEFA and FIFA, in view of various responsibilities for safety and security of governments, police and football authorities;

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2 OJ L 155, 15.6.2007, p. 76.
• The Council should work in partnership with agencies and organisations which can contribute positively towards enhancing safety and security at football matches with an international dimension, as, for example, CEPOL, UNICRI, CEN, EUROJUST, the European Crime Prevention Network, the European Forum on Urban Security and supporters’ associations (such as Football Supporters Europe).

6. The work programme constitutes a multi-agency approach, acknowledging and respecting the various responsibilities of organisations and agencies at local, national or international level. Aside from the key issue of the need for effective international, national and local multi-agency partnerships, themes covered in this work programme centre on:

• ensuring that all Member States are able to participate in the working arrangements set out in this work programme;
• establishing ways of cooperation with third countries;
• encouraging the use of the existing NFIP structure and the development of similar measures for other sports events, as those used over the past years for football matches with an international dimension;
• encouraging that integrated in-stadia safety and security arrangements are developed for all football grounds hosting football matches with an international dimension;
• promoting a concept of hospitality and supporters’ welfare;
• stimulating the development of pan-European training arrangements for key safety and security personnel;
• ensuring the crucial role of NFIPs;
• preparing for major sports events, in particular major football events, such as the UEFA Champions and Europa League competitions as well as Euro 2012 and Euro 2016;
• exploring the potential for further harmonisation of relevant legal arrangements;
• developing arrangements for sharing security and related information between governments, police and football authorities;
• examining the scope for developing and delivering multi agency advice to governmental, policing and other partner agencies concerning safety and security at football matches with an international dimension;
• exploring the scope for further initiatives on social and educational preventive measures, the wider role of football in communities and working with supporters.

ANNEX

2011-2013 EU Work Programme on minimising safety, security and public order risks in connection with sports events, in particular football matches, with an international dimension

KEY FINDINGS

1. Football-related violence and disorder is a Europe-wide phenomenon and there is a need for a sophisticated European strategy comprising an extensive array of deliverable measures designed to reduce the associated risks. There are no simple or supranational structural solutions to what is a complex phenomenon. Football safety and security matters and the associated public order risks are complex: it is an area in which the dynamic is continually evolving and which is subject to wide national and local variations in severity and character across Europe.

2. The European strategy and associated preventive measures need to be flexible and non-prescriptive in order to be adaptable to national (or indeed local) circumstances. This complexity is compounded by wide variations in the relevant constitutional, legal, policing and safety and security arrangements in each Member State. It is crucial that the European strategy and preventive measures respect national sovereignty if arguments about competence and constitutional issues are to be avoided. While respecting national sovereignty, the aim should be to enhance European cooperation as far as possible, also with third countries in Europe or, on a temporally basis, with countries where several European sport teams will be hosted for a major sports event with possible safety or security risks.

3. The specific items to be taken forward are set out below. They should be pursued in a manner that is consistent with and builds upon current European governmental and police cooperation in this field. They can be applied, whenever deemed necessary on the basis of a risk assessment, to other sports events with an international dimension. As stressed throughout, the aim is to identify and take forward the measures necessary to prevent and counter violence and disorder at football matches or other sports events with an international dimension and otherwise enhance the underlying safety and security arrangements at such events. It is equally important that the work is processed in a flexible manner that will enable all of the key agencies in this field to continually look forward and respond proactively to any emerging trends and other developments.
PROPOSED MEASURES AND WORK PROGRAMME

(i) LEWP football experts group

4. In recognition of the continually evolving nature of football safety and security matters, the LEWP football experts group should continue to meet at least once under each Presidency with a view to swiftly making recommendations to the LEWP and the Council where necessary or desirable. The group can also consider safety and security measures in respect of other major sports events.

5. Moreover, representatives of the group should meet on an ad-hoc basis to consider emerging themes and review the impact and effectiveness of preventive and counter measures.

6. It is crucial that all Member States should be able to participate in this process and, where necessary, should have the ability to seek EU or other funding to undertake the necessary work. It is also important to involve third countries in the governmental and police cooperation.
7. The above flow chart shows how the various experts from the EU, the Council of Europe Standing Committee, UEFA and beyond can manage the need to thoroughly examine all safety and security matters of mutual interest along with the mechanism for approving agreed decisions and recommendations where necessary. The flow chart is drawn from a EU perspective.

(ii) Working in partnership

8. To maximise impact and effectiveness, the approach and delivery of whatever transpires from the work programme should be based on multi-agency international, national and local partnerships.

(iii) EU organisations and agencies

9. With respect to their role and competences, the European Commission and the European Parliament are invited to strengthen their cooperation with the Council in the definition and implementation of strategic priorities and operational initiatives. To ensure consistency and continuity in respect of the European Commission support or projects in this area, it is important that the European Commission liaises with the LEWP football experts group regarding all sports safety and security related matters.

10. In view of the mandate of Europol, it is important that possible fields of cooperation between Europol, the LEWP football experts group and NFIPs are explored. It should be determined whether and how Europol can add value to the work of the NFIPs, and vice versa, in addition to the existing services which Europol can provide in support of major sports events.

11. The LEWP football experts group should determine, in cooperation with the European Union Crime Prevention Network (EUCPN) and the European Forum on Urban Security (EFUS), how they can work together to create a common platform for sharing good practices with local authorities, in particular in the field of in-stadia safety, hospitality, liaison with supporters, preventative and educational measures and "football in the community" schemes.

12. The LEWP football experts group (via the European Think Tank of safety and security experts), in cooperation with UEFA and the Council of Europe Standing Committee, should closely liaise with CEN/TC 315 Spectator Facilities concerning all in-stadia safety and security aspects.

(iv) Council of Europe Standing Committee

13. In recognition of the overlap between safety and security, the work programme needs to be taken forward in very close partnership with the Council of Europe Standing Committee on the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (T-RV). The LEWP football experts group and the Council of Europe Standing Committee should liaise closely in order to determine whether certain EU legal instruments on football safety and security should also be adopted within the Standing Committee or vice versa.
(v) Third countries

14. As football matches and other sports events with an international dimension are not limited to the EU, third countries should be encouraged and, where possible, helped to adopt comparable governmental and police cooperation measures, in particular the establishment and use of an NFIP and the use of the "EU football handbook\(^3\)”. This should be done in close cooperation with the Council of Europe Standing Committee (and in dialogue with UEFA), and through bilateral initiatives with third countries.

Cooperation with third countries is considered to be one of the main priorities of this work programme. The LEWP football experts group should in this respect make use of existing EU instruments and agreements.

Also, cooperation with Interpol should be examined in this regard, without prejudice to the existing EU structures and instruments.

(vi) International football or other sports authorities

15. In order to continue to enhance safety and security at football matches with an international dimension, it is crucial that representatives of the LEWP football experts group and Council of Europe Standing Committee should continue to invest in the cooperation and dialogue with UEFA. Over the past few years, members of the LEWP football experts group have regularly met with UEFA and jointly identified a range of important areas where co-operation (and partnership) is both desirable and necessary, respecting the competencies and responsibilities of each partner. These areas of co-operation are incorporated in this work programme.

16. Particular attention is focused on UEFA’s crucial role as the organiser of international club and country matches and tournaments. The joint organisation of the annual Champions and Europa Leagues meeting is to be pursued by LEWP football experts group (via the European Think Tank of football safety and security experts). This meeting provides a basis for bringing together the key agencies involved in safety and security at football clubs participating in these competitions. A similar initiative should be envisaged for the qualifying matches for a European or World Championship (respectively in cooperation with UEFA and FIFA). There should also be close cooperation between UEFA and the LEWP football experts group in the preparations for Euro 2012 (Poland and Ukraine) and Euro 2016 (France).

17. It is also important for the LEWP football experts group to liaise, where appropriate and in respect of each other responsibilities, with other European and international football authorities including the European Professional Football Leagues Association and FIFA.

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3 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 (OJ C 165, 24.6.2010, p. 1).
18. Dialogue and cooperation with international football agencies, such as UEFA, is crucial if national football authorities are to participate in dynamic and harmonious multi-agency national arrangements for minimising safety and security risks.

19. The competent international football authorities are invited to ensure that the responsible national football authorities take full account of (and adopt as a minimum) the steps taken by UEFA and FIFA in the case of safety or security failings or unacceptable supporter behaviour at football matches played under the responsibility of a club or the competent national football authority.

20. The establishment of similar methods of cooperation and dialogue with other sports authorities is strongly encouraged if this is deemed necessary on the basis of a trend analysis and risk assessment.

(vii) National and local multi-agency partnerships

21. In isolation, national governmental and policing agencies cannot deal with all of the underlying issues associated with safety and security concerns and in-stadia public order risks. Member States are encouraged to ensure that national sports authorities, national sports leagues and professional clubs recognise and act upon their respective safety and security responsibilities.

22. In view of the potentially important role which local authorities and or other local agencies can play in ensuring that spectators can attend matches in a safe and secure environment, it is desirable for national partnerships (with policing, judicial, local government and other agencies including supporters associations) to be adapted and developed at regional or local level. All possible methods of involving local authorities should be envisaged and pursued by the LEWP football experts group, e.g. with EUCPN and EFUS.

(viii) Integrated in-stadia safety and security arrangements

23. While avoiding prescriptive obligations on the various agencies involved in providing spectators with a safe and secure event, the need for holistic/integrated in-stadia safety and security arrangements cannot be exaggerated. At present, the effectiveness of these partnerships at national level can be variable and the role of the various agencies blurred.

24. Moreover, while football or other sports violence and disorder may constitute criminality (and, as a consequence, the primary responsibility of statutory authorities), governmental or policing agencies do not necessarily have control or influence over a range of key contributory factors which impact on risk levels (e.g. the dynamics of in-stadia crowd management and wider safety and security arrangements). For example, in many Member States policing agencies may be responsible for dynamic safety and security measures, whereas the match organiser (clubs/associations) is responsible for inter-related physical measures.
25. It is crucial, therefore, that all Member States and third countries are encouraged and helped to develop integrated in-stadia safety and security arrangements based on key core (but non-prescriptive) concepts and standards, comprising both physical and dynamic measures, helping each competent agency or organisation to take up their responsibility.

26. It is particularly important that all football matches or major sports events with an international dimension are organised in stadia possessing integrated arrangements based on these core safety and security concepts and standards. Sports authorities, for example UEFA, have a key role to play in ensuring that all sports events under their auspices take place in stadia that fully meet agreed safety and security standards. The LEWP football experts group (via European Think Tank of football safety and security experts and in cooperation with UEFA and the Council of Europe Standing Committee) is invited to develop a model safety certificate and guidelines for stadium inspections (accompanied by a model checklist) in order to assist the competent authorities and clubs, without prejudice to national legislation.

(ix) Core safety and security standards and best practice guidance

27. It is important that all agencies involved should have access to documentation designed to assist in the development of integrated in-stadia arrangements. The Safety and Security Expert Tool (SSET), which sets out core in-stadia safety and security standards and best practice, was recently produced by safety and security experts from UEFA, the LEWP football experts group and the Council of Europe Standing Committee. The SSET needs to be permanently evaluated and updated. The LEWP football experts group is invited to work closely together with UEFA and the Council of Europe Standing Committee, in this regard.

28. UEFA is invited to monitor and urge compliance with their standards and to consider this to be a pre-requisite for hosting matches with an international dimension played under their auspices.

(x) Training of in-stadia safety and security personnel

29. In view of the important role which stadia safety officers and stewards can and do play in providing spectators with a safe and secure environment, UEFA is invited to build upon its Stadia and Security Education Programme (SSEP) training programme to ensure that national football association safety officers are trained to a high standard and that national associations disseminate the same training to club safety officers.

30. UEFA, in close cooperation with the Council of Europe Standing Committee, is also invited to ensure that a uniform training programme on high-standard stewarding is available to all national football associations.
(xi) Expert multi-agency advice to Member States or third countries

31. It is critical that all supporters and other spectators are provided with a welcoming, safe and secure experience. It is also important that good practices and lessons learned are disseminated as widely as possible. It is helpful, therefore, that all Member States and other European countries have access, upon request, to a pool of safety and security experts equipped to provide them advice concerning the relevant subjects. The delegation of experts needs to incorporate at least experience or knowledge in relevant EU and Council of Europe decisions, regulations, guidelines and recommendations, strategic planning or policing operations and tactics or in-stadia safety and security arrangements.

32. The LEWP football experts group, in cooperation with the Council of Europe Standing Committee and UEFA, will explore the appropriate means for identifying and using multi-agency advisory teams of safety and security experts to assist cities or countries hosting major football matches and tournaments.

33. The LEWP football experts group, on the basis of proposals prepared by the European Think Tank of football safety and security experts, will explore methods of raising awareness of the importance of the delivering multi-agency advice and encourages the implementation of recommendations made in this regard.

34. The LEWP football experts group will continue to give maximum support to Poland and Ukraine in their preparations for Euro 2012.

(xii) Legal arrangements

35. A crucial array of important safety and security factors (e.g. policing strategies and tactics, the detail of domestic legislation and in-stadia safety and security laws and operating arrangements) fall within the competence of each Member State. The LEWP football experts group recognises that, in view of the wide and varied character of relevant constitutional, policing, legal and other arrangements across Europe, harmonisation of legal and policing arrangements in connection with improving safety and security at football matches and preventing and countering football violence is desirable only if it significantly reduces the risks in all Member States.

36. However, it is the view of the LEWP football experts group that these variations in legal, policing and other national arrangements can increase the risk of public disorder (and the associated safety risks). The LEWP football experts group, therefore, will continue to examine in detail any legislative areas where further possible common measures would provide added value. In such cases, detailed proposals should be submitted to the LEWP. All measures need to be in compliance with the EU legislation on free movement.
37. National authorities in a country that is effectively exporting its domestic football problems are encouraged to take steps to prevent individuals, who pose a risk of violence at matches in another country, from travelling to that country. Various legal approaches can be used to achieve this outcome. In this regard, also the value of mutual recognition of stadium bans or other sanctions will be studied.

38. It is crucial that Member States have access to information and advice on available legal and other options concerning safety and security in connection with football matches. The NFIP website (www.nfip.eu) provides one vehicle for disseminating such information and advice.

39. Wide variations in the extent to which the Council Decisions 2002/348/JHA\(^4\) and 2007/412/JHA\(^5\) concerning security in connection with football matches with an international dimension and the content of the "EU football handbook" are implemented can have serious consequences for the quality of information exchange, and the effectiveness of risk assessment and the policing operations.

The LEWP football experts group will explore the merits of updating and/or revising this Council Decision, taking into account lessons learned from the World Cup 2006, Euro 2008 and other matches or major sport events with an international dimension.

The LEWP football experts group will also continue to examine the content of the "EU football handbook" in order to take account of emerging trends.

40. The LEWP football experts group will work to produce clear guidelines for the use of visiting police delegations, *inter alia*, in the light of Council Decision 2008/615/JHA\(^6\) of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA\(^7\) of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime. Any regulatory gaps that are discovered will be reported to the European Commission and the LEWP.

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\(^5\) OJ L 155, 15.6.2007, p. 76.
(xiii) Sharing of governmental, police and UEFA security and safety information

41. The NFIP website should be used as the common platform between NFIPs to exchange information and share best practices. In view of the crucial importance of this website for international police cooperation, the use of the website will be permanently evaluated. The structure and efficiency of the website should be regularly updated. This will include an analysis of the information already held within the website. In view of the importance of the NFIP website to all Member States and third countries, a grant in order to support continued development will be sought from the European Commission.

42. All parties, including sports authorities, stand to benefit from sharing important safety and security information. One initiative has been taken by providing a template for the bilateral exchange of information with UEFA on the NFIP website. Further initiatives for facilitating the multi-agency exchange of information should be explored by the LEWP football experts group. An important consideration is to ensure that shared information is not publicised without the express authority of the owner of the information.

(xiv) National Football Information Points (NFIPs)

43. The role of NFIPs is crucial in terms of the safe and secure management of football matches with an international dimension in the key areas of police information exchange and the sharing of national perspective on the dynamics of football disorder. However, it is important that NFIP personnel should be equipped to deliver their functions effectively to an agreed standard and the Council Decisions 2002/348/JHA and 2007/412/JHA concerning security in connection with football matches with an international dimension and the content of the "EU football handbook" are implemented by each Member State.

44. It is imperative for all NFIP personnel (particularly new staff) to have access to the pan-European football policing training project. It is also desirable for this training to be continued once the training project has finished.

(xv) Training of key police personnel

45. Whilst governmental and police co-operation at a national level may be generally effective, a continuing issue of concern centres on whether or not operational police commanders at a local level are well versed in the content of the "EU football handbook" and have otherwise received comprehensive training in policing football matches (either in town centres or at stadia).

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9 OJ L 155, 15.6.2007, p. 76.
10 See also part (xii) on legal arrangements and the need of evaluation of both instruments.
46. The joint training of operational police commanders should reduce safety and security risks and help to harmonise the policing of football supporters. It is crucial for operational police commanders, who often have to make time-critical decisions impacting upon the safety of supporters, to have access to comprehensive training programmes of a common standard. It is desirable for this training to be multinational in character to facilitate the sharing of policing perspectives and experience.

47. In order to ensure maximum effectiveness it is also important that other key police personnel (spotters, football intelligence officers and NFIP personnel etc.) should receive training to a common standard.

48. As all of the above roles are inter-related, it is important that the training programme should comprise generic and role specific training, combining theoretical and practical components including enhanced awareness of important matters such as dynamic risk assessment, graduated policing tactics and other policing tactics recommended in the "EU football handbook" on police co-operation, and for follow-up training to be developed.

49. It is therefore important that the European Commission should maintain its support for the implementation of the pan-European football policing training project. To ensure that the training programme is ongoing and available to key personnel in all Member States, the European Commission is invited to ensure that funding is made available on an annual basis to continue to deliver the training. It is stressed that such a European-wide training programme is a crucial element for enhancing safety and security at football matches with an international dimension.

50. In order to be successful, the delivery of the training programme needs to be evaluated by the project Steering Group, including the European Commission, participating countries, other expert bodies including research and police academies and CEPOL.

51. The members of the LEWP football experts group are invited to promote the content of the pan-European football policing training project within their own country, in respect of key police personnel who have not received the training.

(xvi) Tackling racism, xenophobia and other forms of intolerance

52. As shown by a recent report of the EU Fundamental Rights Agency (FRA), racism, xenophobia and other forms of intolerance continue to pose problems in professional and amateur sport in the EU. In order to intensify the fight against racism and xenophobia, all Member States are encouraged to ensure the full and effective transposition of Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, which is to be completed by all EU Member States by 28 November 2010.
53. Member States and organisations working in the area of sport or aiming to combat racism, xenophobia or other forms of intolerance are also invited to make full use of the opportunity to seek EU funding for activities targeted at fighting against these phenomena.

54. Considering that racism, xenophobia and other forms of intolerance may pose a serious risk to safety and security at sports events, including football matches, the LEWP football experts group is invited to examine, in co-operation with the Council of Europe Standing Committee and other competent agencies and organisations, such as FRA, the European Commission against Racism and Intolerance of the Council of Europe (ECRI) and the Football against Racism network (FARE), current recommendations and guidance on preventing and tackling racism and xenophobia, in order to establish whether it is necessary or desirable to provide the police and other agencies responsible for the security and safety of sport events with additional training or advice in this regard.

55. The competent agencies and organisations are also invited to involve in their work supporters’ associations, where appropriate, in order to intensify the fight against racism, xenophobia and other forms of intolerance at sports events, including football.

(xvii) Preventive measures, hospitality and working with supporters

56. To ensure that football matches, sport events and tournaments are welcoming and enjoyable events for all those concerned and to minimise safety and security risks, all competent agencies are encouraged to:
- support or implement social and education measures to prevent spectator violence and to promote the exchange of good practices in which professional sport organisations and top athletes and players act as role models;
- use a concept of hospitality so that visiting spectators feel welcome, safe and secure and make use of the experiences from previous major sports events;
- consider supporters as active participants at all stages of planning for and hosting of the event. Developing close links with supporter groups should be an important element of the work of the LEWP football experts group in the years to come. The LEWP football experts group should work with the Council of Europe Standing Committee, sport authorities (e.g. UEFA), supporters associations (e.g. FSE) and other partners (in particular local agencies) and continue to invest in this area."