

## **STANDING COMMITTEE (T-RV)**

EUROPEAN CONVENTION ON SPECTATOR VIOLENCE AND  
MISBEHAVIOUR AT SPORT EVENTS AND  
IN PARTICULAR AT FOOTBALL MATCHES



Strasbourg, 6 June 2012

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### **European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (T-RV)**

Project on Compliance with Commitments

#### **Respect by Bulgaria of the Convention**

#### **Follow-Up Report by Bulgaria on the recommendations of the Standing Committee following the Consultative Visit on 29 September 2004**

**FINAL**

**Adopted the 34<sup>th</sup> meeting of the Standing Committee**

**Part A:**

Following its consultative visit to the Republic of Bulgaria, the T-RV team presented recommendations for the Republic of Bulgaria to implement in the following four areas: (the full consultative visit report is available in the document T-RV (2005) 7)

**I. Legislation**

The following are the gaps in the legal provisions:

1. there is as yet no specific football-related legislation; this is before Parliament but it is unclear when it will be passed;
2. there is no power to use CCTV pictures as evidence in the courts; and
3. there is no power to impose stadium bans.

**II. Co-ordination and responsibilities**

The Consultative Team suggests taking appropriate measures to tackle the following problems:

1. the unwillingness of the organisers to accept responsibility, with the result that the police are undertaking tasks that could just as well be undertaken at a lesser cost by others;
2. the police costs are not fully reimbursed; there is thus no financial incentive for the clubs to take on additional tasks;
3. the poor quality of the stewards, who are drawn from among the supporters and are not impartial;
4. the lack of control over the stadiums when they are not in use, which enables spectators to bring flares into the ground, often on the day before the match;
5. the confusion over stadium ownership, leading to lack of investment and uncertainties as to responsibilities;
6. what appears to be a reluctant attitude by the football authorities; and
7. uncertainty as to the role of the local public authorities.

**III. Policing**

Drawbacks:

1. they appear to rely heavily on deploying very large numbers of police officers
2. they lack sufficient investigators to follow up incidents and identify and prosecute the perpetrators; and
3. the proposed national information point has not yet been established.

**IV. Stadiums**

The main area of disappointment was the seating deck, where new concrete seat bases had been cast directly on top of the old structure. In some cases they were beginning to degrade and were having to be replaced. There was a certain amount of standing water in the foot wells on the seating deck.

**The conclusions and summary of the recommendations were:**

The Council of Europe team considers that the Bulgarian authorities have addressed the problem of violence and misbehaviour in a sensible and structured manner. It believes that their commitment to an integrated approach, in which all the agencies work together, provides a useful framework for future developments.

It suggests that the Bulgarian authorities may wish to take forward the following measures, many of which they have already identified themselves:

- to seek a greater assumption of responsibility by the owners of the stadiums and the clubs that play there;
- to introduce an effective system of stewarding;
- to introduce an effective system of stadium bans;
- to permit the use of CCTV pictures as evidence in the courts;
- to encourage the clubs and football authorities to engage positively in promoting a relaxed and enjoyable atmosphere for spectators that discourages violence and misbehaviour; and to ask them to take action against disturbing behaviour from players, trainers and other staff of the club;
- to promote preventative measures in the community in line with the Council of Europe recommendations;
- to work on strategies to deploy fewer policemen for football matches, eg by examining the possibilities to have some policemen working full time on the problem of football related violence (to work out long term strategies);
- to monitor carefully all incidents and analyse the reports giving special attention to the potentially very dangerous use of pyrotechnical devices;
- to clarify the question of ownership of stadiums which would help to develop the sense of responsibility among clubs and organisers and foster the development of infrastructure.

## **Part B:**

Answers given by the Republic of Bulgaria, of what has been achieved since the visit:

### **I. Legislation**

#### *1. Law on Public Order Protection during Sports Events – in force since 30.11.2004*

This Law lays down measures to protect social order and to combat anti-social acts committed during sports events.

This Law is also applicable to Bulgarian citizens who have committed breaches abroad for which they have not been sanctioned.

The purposes of the Law are:

- protecting social order during sports events
- preventing, stopping, discovering and sanctioning anti-social acts;
- identifying the causes of and conditions for the perpetration of anti-social acts;
- ensuring co-operation between the State authorities and social organisations with a view to preventing all forms of anti-social behaviour during sports events.
- ensuring interaction and co-ordination between the State authorities and foreign or international police services in organising and running sports events.

#### *2. Art. 29 of Law on Public Order Protection during Sports Events*

(1) (suppl. – SG 82/06) For the purposes of discovering anti-social acts under this Law or general offences, video recordings and/or photographs taken during the sports event may be used.

(2) (suppl. – SG 82/06) Video-recordings and/or photographs as per para. 1 shall be exploited by drawing up a record signed by the authorities in accordance with Art. 26 para. 1, and by a technical expert.

*3. Art. 41 of Law on Public Order Protection during Sports Events*

The compulsory administrative measures under this Law shall include:

1. prohibition of attending sports events at home and abroad;
2. suspension of use of the sports site for conducting sports events.

Art. 42. The compulsory administrative measure set out in Art. 41 para. 1 shall be ordered by a judge from the relevant regional court, in line with the procedure set out in Chapter Four, Section II.

**II. Co-ordination and responsibilities:**

1. Refusal by the organisers to accept responsibility is bound up with the obligation to do so:

**“Chapter 3 of the Law on Public Order Protection during Sports Events.  
Measures for the Protection of Social Order during Sports Events**

**Section I.**

**Obligations of owners and users of sport sites and organisers of sport events**

Art. 7.

(1) Owners and users of sport sites and persons organising of sports events shall take all the necessary action to guarantee order and security during sports events.

(2) The persons mentioned in para. 1 shall co-operate with the relevant State and municipal authorities in preventing anti-social behaviour during sports events.

Art. 8. In the event of direct danger to the life and health of citizens, where no action can be taken to prevent and eliminate it, the organisers must cancel the sports event.

Art. 9.

(1) The owners or users of sports sites shall appoint a person responsible for the security of the sport site.

(2) (amend. – SG 19/09) The person responsible for security shall take all the necessary action to guarantee security during sports events and make the sports area safe, informing the bodies of the relevant regional directorate of the Ministry of Interior of the place, date and exact time of the sports event, as well as the security arrangements.

(3) (suppl. – SG 19/09) On detecting a breach, the person responsible for security shall immediately, or at least within a maximum 24 hours, notify the police bodies.

(4) The person responsible for security shall perform his obligations in co-operation with the police authorities.

(5) (new – SG 82/06) The person responsible for security shall arrange training for his assistants in protecting public order during sports events, in accordance with Art. 28 of the Law on Private Security Operations.

Art. 9a (new – SG 19/09) Professional sports clubs shall nominate a club security co-ordinator trained in the field of protecting public order during sports events, who shall:

1. ensure co-ordination between the organisers of sports events, the sports club security co-ordinator and the agencies of the relevant regional directorate of the Ministry of Interior;
2. maintain permanent contact with sport fan clubs, with the person in charge of the fans, with the fans’ accompanying persons and also with other sports clubs security co-ordinators;
3. collect and forward to the bodies of the respective regional directorate of the Ministry of Interior:

- a) information on persons likely to be involved in acts jeopardising order and safety at sports event;
- b) information on persons who have conducted or prepared or are conducting violent acts or have incited others to such acts;
- c) other information useful for the protection of public order and safety during sports events.

Art. 10

- (1) (amend. – SG 19/09) During any given sports event, the host club's security co-ordinator shall be the manager of the event.
- (2) The manager of the sports event shall execute the orders of the person responsible for security and remain in permanent contact with him.

Art. 11

- (1) Only persons and vehicles with right of access shall be allowed into the sports area on the day of the sports event.
- (2) Right of access shall be certified by:
  - 1. entrance tickets;
  - 2. official passes;
  - 3. invitations.
- (3) (suppl. – SG 19/09) Entrance tickets, official passes and invitations must mention the sector, block and seat number, as well as the date and time of the sports event. Restrictions applicable to visitors at sports events must, according to law, be printed on the entrance ticket.
- (4) Organisers of sports events shall take action to protect certificates of right of access against forgery or repeated use.

Art. 12. (amend. – SG 19/09)

- (1) Entrance tickets shall be sold to fans of different teams at separate ticket offices.
- (2) Fan clubs of different teams shall be accommodated in different sectors or blocks, leaving empty buffer zones between them, which shall be determined by the organizers of sport events in agreement with the bodies providing security.
- (3) For security reasons, the organisers of the sports event may, in agreement with the bodies providing security, direct the visitors to sectors and blocks different from those indicated on their tickets.

Art. 13.

- (1) (amend. – SG 19/09) The person responsible for security shall ensure that the fans of different teams pass through different entrances at the sports facility, checking on:
  - 1. the right to access;
  - 2. the carrying of weapons and dangerous objects, which is prohibited;
  - 3. the bringing in of alcoholic beverages, narcotics or other psychotropic substances.
- (2) The following shall not be admitted into the sports facility:
  - 1. persons who refuse to be checked;
  - 2. persons carrying items which are prohibited in the sport facility;
  - 3. persons in an inebriated state or under the influence of narcotics or other psychotropic substances;
  - 4. minors without a person of full age accompanying them;
  - 5. (new – SG 19/09) persons under mandatory administrative measures banning them from sports events at home and abroad.
- (3) Where weapons, explosives, generally hazardous substances or narcotic or psychotropic substances are found during the check, measures shall be applied in accordance with the relevant normative act.

(4) (new – SG 19/09) In the event of the circumstances mentioned in para. 2 indents 1 – 3, technical facilities may be used, subject to preparation of a protocol.

Art. 14. (revoked – SG 19/09)

Art. 15. Supply of alcohol drinks is prohibited in the area of the sports facility on the day of the sports event and for 3 hours after the event ends.

Art. 16.

(1) Organisers of sports events shall notify the general public by means of information boards situated in prominent places or by PA equipment that video cameras are being used to ensure the security of the site, without giving their exact locations.

(2) Video recordings shall be erased a maximum of 3 months after their creation, except where they contain data on offences committed or breaches of the present Law. Video erasure records shall be drawn up by the person responsible for security.

Art. 17.

(1) Organisers of sports events and fan club representatives shall appoint individuals respected by the fans as persons accompanying and responsible for the fans.

(2) The accompanying persons shall take action to:

1. expel those jeopardising order and security in the relevant fan sectors;
2. ensure early identification and reporting of persons preparing, committing or inciting to acts of violence.

(3) In performing their duties as per para. 2, the accompanying persons shall:

1. inform the fans of the regulations on order and security in and around the sports facility;
2. ensure order in the relevant sector and where necessary alert the police authorities;
3. accompany the fans during sports events at home and abroad;
4. raise awareness of sporting ideals and the concept of fair play among the fans.

(4) (suppl. – SG 19/09) The person responsible for the fans shall supervise and co-ordinate the action of the accompanying persons. In case of an organised trip by fans to the venue of the sports event, the person responsible for the fans shall notify the agencies of the relevant regional directorate of the Ministry of Interior of the place, date and precise time of departure, the travel arrangements and the number of fans expected to take part in the group transport.

(5) Before any sports event, the organisers of the events shall arrange a meeting between representatives of the relevant fan clubs.

Art. 17a. (new – SG 19/09) The managers of the fan clubs shall nominate a contact person, who will:

1. ensure co-ordination between the organisers of the sports events, the manager of the sports events, the person responsible for security at the sports facility, the club security co-ordinator and the agencies of the relevant regional directorate of the Ministry of Interior;

2. collect and forward to the agencies of the relevant regional directorate of the Ministry of Interior:

- a) information on scheduled trips by fans to the sports event venues;
- b) information on persons likely to be involved in behaviour jeopardising order and safety at the sports event;
- c) information on persons who have conducted or prepared or are conducting violent acts or have incited others to such acts;
- d) other information useful for the protection of public order and safety during sports events.

3. encourage the fans to observe the established standards of decent behaviour while the sports event is taking place.”

2. The policing costs are now fully reimbursed
3. Legislation amendments will introduce the institution of “Steward”, together with its obligations and powers.
4. More effective supervision is implemented of stadiums when they are not in use, which makes it difficult for spectators to bring flares into the ground on the days before the match.
5. Recently, increasing numbers of stadiums have been rented to clubs for longer periods, which enables them to invest larger sums of money.
6. The FA and the local authorities are taking the problem more seriously.

### **III. Policing**

1. Police now rely more on dynamic risk assessment of the match and intelligence information from FIO/spotters
2. In most cities facing problems with football supporters, FIO/spotters are appointed
3. A national football information point has been set up under the Law on Public Order Protection during Sports Events; it operates under the Chief Directorate Criminal Police and its official title is the “National Information Centre for Security at Sport Events”.

## **“Chapter 2 of the Law on Public Order Protection during Sports Events. National Information Centre and Unified Computerised Register**

### **Section I. National Information Centre**

Art. 3.

(1) (amend. – SG 82/06; amend. – SG 19/09) The National Information Centre shall be established in the Ministry of Interior.

(2) (revoked – SG 19/09)

Art. 4. The National Information Centre:

1. shall provide assistance to authorities and persons whose activities relate to the organisation and running of sports events, protecting law and order and ensuring security at sport sites;
2. shall draw up reference, analytical and prognostic information and forward it to interested parties;
3. shall co-operate with foreign or international authorities which are empowered to organise and run sports events and to combat anti-social acts committed during sports events.

Art. 5. With an eye to forthcoming sports events, the National Information Centre :

1. shall organise and co-ordinate international police co-operation;
2. shall receive and pass on information, including that contained in the Register mentioned in Section II regarding personal data, on persons whose behaviour jeopardises social order during sports events;
3. shall provide information, at the request of foreign information centres, on fans of sports clubs and national teams, as well as information on to their travel to and stay in the relevant country;

4. shall provide information on Bulgarian citizens who have been sanctioned and on whom compulsory administrative measures have been imposed under this Law, a maximum of 5 days before the sports event.

## **Section II. Unified Computerised Register**

Art. 6.

(1) The Ministry of Interior shall set up and maintain an Unified Automatic Register containing data on:

1. natural and legal persons who/which have been the subject of penalties, compulsory administrative measures or sanctions under this Law;
2. persons who have been the subject of criminal prosecutions for general crimes committed with malice aforethought during sports events;
3. persons convicted of malicious general crimes committed during sports events;
4. anti-social acts committed during sports events, the data having been provided by foreign States or international organisations under international agreements or treaties to which the Republic of Bulgaria is party;
5. (new – SG 82/06) application of this law.

(2) the following information shall be entered in the Register on natural persons as per para. 1:

1. name, Unified Civil Number (if the person is a Bulgarian citizen), permanent address, nationality, place of birth;
2. data regarding the offence or crime committed and the penalties or compulsory administrative measures imposed;

(3) the following information shall be entered in the Register on legal persons:

1. (amend. - SG 34/06, in force from 01.10.2006) HQ and address of registered office, unified identification code for traders, or BULSTAT identification code;
2. data regarding the offences committed and the sanctions or compulsory administrative measures imposed;

(4) Data from other databases may also be used in the Unified Computerised Register, as stipulated in a separate law.

(5) Information from the Unified Computerised Register shall only be used to attain the aims of this Law and to prevent, stop, discover or investigate crimes.

(6) (new – SG 19/09) Personal data on people on whom mandatory administrative measure have been imposed banning them from sports events at home and abroad and information on the period for which the measure was imposed may be made available, from the Unified Computerised Register, to the organisers of sports events on request, solely for the purposes of this Law.

(7) (amend. – SG 82/06; prev. par. 6 – SG 19/09) of the data contained in the Unified Automatic Register shall be processed in accordance with the provisions of Chapter 13 of the Ministry of Interior Law and in accordance with the [Law on personal data protection](#).”

## **IV. Stadiums**

New and modern stadiums (UEFA certified) are being built in various cities, including Burgas, the home of PFC “Chernomoretz Burgas”, Lovech, the home of PFC “Litex Lovech”, and Razgrad, the home of PFC “Ludogoretz Razgrad”, and more are expected to follow in the next few years, thus solving the current problems with stadiums.