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D6.1

IcARUS Legal Adjustment Report



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Executive Summary

This report provides a comprehensive review of international and national legal issues related to the four priority areas identified by IcARUS: preventing juvenile delinquency, managing and designing safe public spaces, preventing radicalisation leading to violent extremism, preventing trafficking and organised crime. In line with the purpose of IcARUS' WP6, and more specifically in order to ensure that the future results of the project fit within the legal frameworks and do not violate fundamental rights of those concerned, this legal report consists of the following sections:

Introduction and methodology of the IcARUS legal adjustment

In this first section, the report describes the main objectives pursued by IcARUS and provides an explanation of the documentary analysis methodology on which this report is based both from the perspective of binding international and national regulatory frameworks. In particular, it explains how IcARUS aims to improve the design of crime prevention actions and policies at the local level and identifies the different steps our team has followed to develop a comprehensive delimitation and analysis of the international and national legal framework in the cities of Nice, Rotterdam, Riga, Stuttgart, Turin and Lisbon.

Delimitation of the international and national legal framework

In order to properly meet the legal requirements of IcARUS as comprehensively as possible, this legal analysis has been carried out, firstly, from a general and international perspective. Secondly, the same study has been carried out but with the current regulations of each of the six cities participating in the project and focusing only on the demands that each city has made to IcARUS. In this sense, the focus area of "public spaces" has been selected by Nice, Rotterdam, Riga Turin and Lisbon, and the topic of "terrorism and radicalisation" by Stuttgart. Thus, these two sections offer the following topics

- An overview of existing and proposed resolutions, legal texts and conventions adopted by the Council of Europe, the United Nations, the European Union and other international organisations in the four main areas covered by IcARUS.
- A description of the national regulations to be taken into account by each city according to the issue that most concerns it. It starts with an assessment of the Constitutions and Penal Codes; it then looks at specific legislation on public spaces or on terrorism and radicalisation depending on the municipality studied; and finally, it includes other relevant legislation that may be of help.

3. Implementation of relevant international and national legislation in each municipality

In this third part, the report presents a review of the areas of interest of IcARUS that are of most concern to each municipality and that have been identified through the use of a survey for internal use only. Once all legal requirements have been studied, we have highlighted how the international and national legal framework is applied at the local level. In addition, this section highlights the deficiencies and issues that need to be addressed in each city in order to reduce the number of incivilities, vandalism, uncivic behaviour and, in general, the crime rate, among other phenomena of interest to end-users. With this proposal we provide a comprehensive and critical analysis of the international and national legal frameworks of significant relevance for each partner in the consortium.

It is hoped that the document will provide a comprehensive understanding of the legal aspects necessary in the development of crime prevention actions and policies. Furthermore, the most significant aspect of this legal analysis is that it is tailored to the specific needs of municipalities and the resources available to them in terms of crime prevention and urban safety. The continuous feedback and evaluations provided by all project members are a guarantee that IcARUS can be considered a responsible and innovative research project.

Conclusions

Finally, a concluding section has been included to relate the general issues outlined in the previous sections to the work that remains to be done by individual municipalities and international organisations. In this regard, this section provides a final review of the main concerns of each partner and concludes that the main problem is the lack of initiative to implement more binding legal acts and recommendations at the local level. The report also contains two annexes: the first includes links to all the legal instruments used in our analysis; while the second provides the questionnaire developed to find out the demands of each participating city.

Introduction

IcARUS aims to design modes of innovative delivery and stakeholder engagement that will unblock barriers to the implementation of urban security policies. As a result, this report has delved its efforts to elaborate a delimitation of international and national legal frameworks. IcARUS is based on a legal analysis of the most relevant and specific international and European legal frameworks in the sector of crime prevention and urban security. An analysis of the national legal frameworks of Nice, Rotterdam, Riga, Stuttgart, Turin and Lisbon has been carried out by examining the legal instruments available to these Law Enforcement Agencies (LEAs) or municipalities. The priority areas that IcARUS identified are preventing juvenile delinquency; preventing trafficking and organised crime; managing and designing safe public spaces; and preventing radicalisation leading to violent extremism

This legal report is divided into two parts. With regards to the first part, our team has identified the paramount legal organisations at the international, supranational and national levels in relation to each priority area. It has also described what each organ entails and what are the most relevant Guidelines, Recommendations, Resolutions, Directives, Declarations, Rules, Protocols, Conventions, Proposals, Opinions and International Codes. The second part of this study provides the reader with an understanding of the application of these relevant international instruments and the research of pertinent instruments at the national level. Each LEA or municipality involved in the study considered the four priority areas and indicated which one of the priority areas were of their interest. Nice, Riga, Turin, Rotterdam and Lisbon indicated that their area of concern was public spaces. On the other hand, Stuttgart intimated that its area of concern was terrorism and radicalisation.

Each municipality or LEA was asked, by our team, to consider the current situation in each of the areas of their preference and they indicated which dimensions posed a urban security challenge. Thereafter, we asked each local government to describe other urban security challenges they may face in relation to public spaces and questioned them whether there was a particular national law, legislation and/or Regulation that might be of importance. Our team intended to consider the current legal circumstances in each of the priority areas selected by the local government.

This report provides a critical analysis of the national legal frameworks of all consortium partners. This report has been carried out by analysing urban security challenges faced by partner cities of the project, indicating the relevant legislation applicable for each priority area and showing how the international and national legal frameworks may be applied at the specific local level. It is hoped that this project will provide an overall understanding of the required legal frameworks needed to engage in preventive actions at local level and the policies that are currently in place to prevent further challenges to urban security.

Methodology

In order to achieve the objectives described in the previous section, D6.1 has implemented a methodological approach based on the documentary analysis of the main regulatory frameworks linked to the areas of interest of IcARUS, both from a general (international level) perspective and the particular perspective of each of the municipalities involved (national level).

Firstly, the adjustment of the scope of IcARUS to international regulatory frameworks has focused on the analysis of three of the main international bodies (Council of Europe, United Nations and European Union), and has been complemented with other international legal instruments when, due to their relevance and extensive use, it has been considered appropriate. The following table summarises quantitatively the international instruments that have been assessed in the next section of this report for each of the areas of interest in IcARUS.

Table 1. Summary of reviewed international regulatory frameworks

ICARUS's TOPIC	INTERNATIONAL REGULATORY FRAMEWORKS			
	COUNCIL OF EUROPE	UNITED NATIONS	OTHER INTERNATIONAL INSTRUMENTS	EUROPEAN UNION
<i>Preventing juvenile delinquency</i>	6	12	1	6
<i>Designing and managing safe public spaces</i>	6	4	-	2
<i>Preventing radicalisation leading to violent extremism</i>	2	7	2	3
<i>Preventing and reducing trafficking</i>	7	7	-	2

Secondly, D6.1 includes an analysis of the legal adjustment of the scope of IcARUS to the main national regulatory frameworks of each of the participating municipalities, especially those legal instruments closely related with constitution, criminal code, specific legislation and others instruments of relevance. In order to develop a fine-grained assessment that responds to the specific needs of each city, an online questionnaire (see Annex 2) was distributed to representatives of each city in order to identify their areas of interest in IcARUS and what specific urban security they were concerned about. This filter has been included in full coherence with the approach adopted in the WP2-4 packages, i.e., an approach based on the prior identification of specific needs. More specifically, municipalities were asked which would be the main topic of concern at the local level:

- **Nice** (Designing and managing safe public spaces): *Mass gathering, incivilities, aggressions.*
- **Rotterdam** (Designing and managing safe public spaces): *Violent demonstrations, incivilities, vandalism.*
- **Riga** (Designing and managing safe public spaces): *Violent demonstrations, incivilities, vandalism, modern technologies.*

- **Stuttgart** (Preventing radicalisation leading to violent extremism): *hate speech, discrimination, religious radicalisation.*
- **Turin** (Designing and managing safe public spaces): *in relation with juvenile delinquency.*
- **Lisbon** (Designing and managing safe public spaces): *Vandalism, Homelessness, Drugs.*

The following tables summarise quantitatively the legal instruments that have been assessed at the national level in each of the municipalities.

Table 2. Summary of reviewed national regulatory frameworks (Nice)

Topics Identified	Constitution	Criminal Code	Specific Legislation	Other legislation
Mass gathering	-	29	5	2
Incivilities	1	66	3	3
Aggressions	1	66	3	4
Other challenges	-	-	1	2

Table 3. Summary of reviewed national regulatory frameworks (Rotterdam)

Topics Identified	Constitution	Criminal Code	Specific Legislation	Other legislation
Violent demonstrations	1	17	2	-
Incivilities	2	10	1	1
Vandalism	2	10	2	-
Other challenges	-	-	-	1

Table 4. Summary of reviewed national regulatory frameworks (Riga)

Topics Identified	Constitution	Criminal Code	Specific Legislation	Other legislation
Violent demonstrations	1	6	1	1
Mass gathering	1	6	2	-
Vandalism	1	6	1	1
Aggressions against law enforcement	1	6	-	-
Protection against modern technologies	1	-	-	1

Table 5. Summary of reviewed national regulatory frameworks (Stuttgart)

Topics Identified	Constitution	Criminal Code	Specific Legislation	Other legislation
Religious radicalisation	1	19	1	2
Discrimination against groups	2	4	1	1
Hate speech	-	9	1	1

Table 6. Summary of reviewed national regulatory frameworks (Turin)

Topics Identified	Constitution	Criminal Code	Specific Legislation	Other legislation
Vandalism	2	19	3	2
Baby gang	2	19	3	2

Table 7. Summary of reviewed national regulatory frameworks (Turin)

TOPIC	Constitution	Criminal Code	Specific Legislation	Other legislation
Vandalism	1	13	2	-
Homelessness and drugs	1	1	2	1

FIRST PART DELIMITATION OF THE INTERNATIONAL LEGAL FRAMEWORKS

Preventing Juvenile Delinquency

The term juvenile delinquency applies to the violation of criminal code and pursuit of certain patterns of disapproved behaviour by children and young adolescents. In European countries, the difference between juvenile delinquency and adult offenses lies in the measures or sanctions that are applied to young people who carry out antisocial behaviour. At the legislative level, this means that the regulations that typify criminal conduct are the same for minors and adults. However, juvenile offenders are perhaps the most vulnerable category of individuals and should be afforded greater protection than adult offenders. Thus, the legal framework that tackles juvenile delinquency regulates the level of protection and the sanctions that will be applied to minors and adolescents.

The below international and European instruments that deal with juvenile delinquency acknowledge that children should be treated differently from adults when accused or suspected of having committed a criminal offence. Such instruments have set standards and principles concerning the rights of juvenile offenders, thereby creating a number of obligations (binding and not binding) on state parties towards young offenders. Although the European space is common in geographical terms, the legal regime is different and often varied, according to national and regional specificities determined by certain treaties and conventions. A fundamental principle underlined by all these instruments is that the 'law should protect children's welfare and afford them the protection necessitated by their vulnerability and lack of maturity'.

When youth violate the law and come into contact with authorities, there is variation around Europe with regards to how to tackle juvenile delinquency. The following international legal instruments will help to ascertain what participating states and cities shall take into account.

1.1 Council of Europe

Guidelines of the Committee of Ministers of the Council of Europe on child friendly justice (2010).

These Guidelines aim at ensuring the rights of the child, whether as a witness, offender or victim, in any proceedings, including civil and administrative proceedings. Other issues such as the deprivation of liberty, diversion from judicial proceedings, and the apprehension of children by the police, are mentioned in Guideline IV.

Recommendation (87) 20 of the Committee of Ministers to Member States on Social Reactions to Juvenile Delinquency.

This text was adopted by the Committee of Ministers to Member States on 17th of September of 1987 at the 410th meeting of the Ministers Deputies at Strasbourg and it considers measures in respect of minors and how all measures taken in this respect should have an educational character. It stipulates mainly that minors must be afforded the same procedural guarantees as adults, but also, that the criminal system for minors should continue to be characterised by its objective of education and social integration and that it should, as far as possible, abolish imprisonment for minors.

This recommendation is linked with the earlier work done by the Council of Europe in the field of juvenile delinquency and in particular of Resolution (78) 62 on juvenile delinquency and social change and the conclusions of the 14th Criminological Research Conference on "Prevention of juvenile delinquency: the role of institutions of socialisation in a changing society".

Recommendation (2003) 20 of the Committee of Ministers to Member States Concerning New Ways of Dealing With Juvenile Delinquency and the Role of Juvenile Justice. It establishes a series of recommendations bearing into consideration the overall juvenile crime rates and the nature and seriousness of juvenile delinquency that require new responses. It takes into consideration that the traditional criminal justice system may not, by itself, offer adequate solutions. It recommends that governments of member states' responses to juvenile delinquency should be multidisciplinary and multi-agency in their approach and should be designed to tackle the range of factors that play a role at different levels of society: individual, family, school and community. It also takes into account that the age of majority does not necessarily coincide with the age of maturity. Thus, young adult offenders may require certain responses comparable to those for juveniles. Furthermore, it also considers that some categories of juvenile offenders, such as members of ethnic minorities, young women and those offending in groups, may need special intervention programmes.

Recommendation (2008) 11 of the Committee of Ministers to Member States on the European Rules for Juvenile Offenders Subject to Sanctions or Measures. The Committee makes recommendations and considers that common action at European level is needed in order to better protect the rights and well-being of juveniles who enter in conflict with the law, and aims to develop a child-friendly justice system. It also considers in this respect that Council of Europe member states continue to improve, update and observe common principles regarding their national juvenile justice policies and practices and enhance international cooperation in this field.

MJU-28 Resol.2 on child-friendly justice, adopted by the 28th Conference of the European Ministers of Justice (2007). The purpose of this Conference was to encourage the relevant Council of Europe bodies to finalise as soon as possible the European Rules for juvenile offenders subject to community sanctions or measures or deprived of their liberty. They agree on the importance of taking measures to develop child-friendly justice and invite the Committee of Ministers to entrust the European Committee on Crime Problems (CDPC), the European Committee on Legal Co-operation (CDCJ), the Steering Committee for Human Rights (CDDH) as well as the European Commission for the efficiency of justice (CEPEJ) in cooperation with other competent bodies of the Council of Europe. To summarize, they agree to: a. examine the access children have before, during and after judicial proceedings; b. examine the way in which the views of children can be taken into account during such proceedings; c. examine ways in which authorities provide information to children on their rights and access to justice, including to the European Court of Human Rights; d. gather information on child-friendly procedures implemented by member states; and e. prepare elements for European guidelines for child-friendly justice.

Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, 2010. The guidelines deal with the issue of the place and role, the views, rights and needs of the child in judicial proceedings and during alternatives to such proceedings. The guidelines should apply to all ways in which children are likely to be, for whatever reason, brought into contact with all competent bodies and services involved in implementing criminal, civil or administrative law. These guidelines aim to ensure that, in any such proceedings, all rights of children, among which the right to information, to representation, to participation and to protection, are fully respected with due consideration to the

child's level of maturity and understanding and to the circumstances of the case. Respecting children's rights should not jeopardise the rights of other parties involved.

1.2 United Nations

1.2.1 General Assembly

Committee on the Rights of the Child General Comment N°10 (UN Doc CRC/C/GC/10). This General Comment assists States to interpret the Convention on the Rights of the Children and the other standards and norms. It emphasizes the fact that states must comply with the Convention rules and guidelines and protect children under eighteen years old, alleged as, accused of, or recognized as having committed an offence.

Declaration of the Rights of the Child (UNGA RES/14/1386). In 1959, the General Assembly of the UN adopted the 1959 Declaration of the Rights of the Child.

It is established in its *Principle 2* that 'The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration'.

Standard Minimum Rules for the Administration of Juvenile Justice (UNGA RES/40/33). Also known as the *Beijing Rules*. These rules are considered soft law and thus not binding. However, these rules provide guidance to all states aiming to develop their juvenile justice systems. The United Nations introduced minimum standards for juvenile justice, with particular attention paid to protecting the rights of the children, the *Beijing Rules*. The *Beijing Rules* establish two main objectives of juvenile justice: first, promoting the wellbeing of the juvenile and secondly, administering proportional sanctions that consider the individual circumstances of the juvenile offender. These rules reinforce the concept that children are entitled to the same criminal procedural rights as adults. Including the presumption of innocence, the right to legal assistance, the right to confront witnesses, the right to appeal and the right to have a parent or guardian present at procedural hearings. They also award juveniles the additional right to privacy (to avoid the effects of social labelling). These rules mainly support the use of sanctions that avoid institutionalisation, such a probation, community service or fines. The *Beijing rules* are not legally binding international laws, but more recommendations for member states.

Guidelines for the Prevention of Juvenile Delinquency (UNGA RES/45/112). Also known as the *Riyadh Guidelines*. This instrument 'take[s] a proactive approach to the issue of juvenile delinquency, rather than a defensive posture tackling negative situations, they promote the well-being and welfare of minors. In addition, it advocates social integration and prevention of juvenile delinquency; encourages countries to develop national and subnational prevention plans that encourage positive socialisation through families, schools, and communities; discourages harsh punishments for juvenile offenders; encourages diversion from the criminal justice system; and warns of the harmful effects of labelling juvenile offenders as delinquents.

Rules for the Protection of Juveniles Deprived of their Liberty (UNGA RES/45/113). Known as the *Havana Rules*. The *Havana Rules* add the special protection for children or juveniles imprisoned based on the UN Standard Minimum Rules for the Treatment of Prisoners. This instrument deals with the conditions of children who have been incarcerated. The *Havana Rules* are based on the UN Standard Minimum Rules for the Treatment of Prisoners. ECOSOC, Res 663 C (XXIV) (31 July 1957) and Res 2076 (LXII) (13 May 1977). On 22 May 2015, a Revised text of these Rules was adopted by the UN Crime Commission and are to be known as the '*Mandela Rules*.' These revised rules explicitly state that they do not regulate the treatment of juvenile detainees but that the first part of the rules should nevertheless be equally applicable.

Resolution 30/07 (2015). The General Assembly 'encourages States to develop and implement a comprehensive juvenile justice policy to prevent and address juvenile delinquency as well as with a view to promoting, inter alia, the use of alternative measures, such as diversion and restorative justice, and ensuring compliance with the principle that the deprivation of a child's liberty should only be used as a measure of last resort, for the shortest appropriate period of time, and that such decisions must be subject to periodic review of their continuing necessity and appropriateness, as well as to avoid, wherever possible, the use of pretrial detention for children'. It also 'invites States to provide for human rights training on the administration of justice and juvenile justice, including anti-racist, multicultural, gender-sensitive and child rights training, for all judges, lawyers, prosecutors, social workers, immigration, correction and police officers, and other professionals working in the administration of justice'.

Resolution 36/13 (2017). In this resolution, the Assembly urges States 'to systematically integrate children's access to justice into justice sector reforms, rule of law initiatives and national planning processes, such as national development plans and justice sector-wide approaches, and to support it through the national budget'.

Resolution 42/11 (2019). Reaffirms in its paragraph 14 that the best interests of the child must be of paramount consideration in all decisions concerning the deprivation of liberty. Particular attention is paid to the deprivation of children's liberty and that such withholding of freedom should only be as a measure of last resort and for the shortest appropriate period of time, specially before trial or when children are remanded in custody. Children should only be arrested, detained, or imprisoned, unless it is considered in the child's best interest not to be.

Optional Protocol to the Convention on the Rights of the Child (UNGA RES/66/138). This instrument strengthens the status of a child as a rights holder. It recognises that children have the right to appeal to 'an international mechanism specific to them when national mechanisms fail to address violations effectively. Through this treaty, the international community puts children's rights on equal footing with other human rights, allowing for more accountability of states. Notwithstanding this, juveniles can only challenge violations of their rights if their State has ratified or acceded to this Protocol.

International Covenant on Civil and Political Rights - Resolution 2200A (XXI). It is the UN's General human rights instruments and articles 10 and 14 deal with issues concerning deprivation of liberty and the right to a fair trial within the administration of juvenile justice. Among other things, it establishes that: accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication; juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status; and any judgement rendered in a criminal case or in a suit at

law shall be made public except where the interest of juvenile persons otherwise requires the guardianship of children.

1.2.2 Others

- Conventions

Convention on the Rights of the Child 1989 (commonly abbreviated as the CRC or UNCRC). This Convention is considered the first set of binding standards on children's rights. It is the *lex specialis* on the rights afforded to children and the main articles dealing with child criminal justice are articles 37 and 40. These articles require that: 'No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age; no child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time; Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances; Every child deprived of his or her liberty shall have the right to prompt access to legal and appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.' Moreover, it states also that 'States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society'.

- ECOSOC

Resolution 1997/30: Administration of Juvenile Justice. Known as the Vienna Guidelines. In its guideline 4, one of its aims is to help states in the effective implementation of the Convention on the Rights of the Child. These guidelines encourage Member States to make use of the technical assistance offered through UN programmes; invites the Crime Prevention and Criminal Justice Division of the Secretariat, the Office of UNHCR/Centre for Human Rights, UNICEF and other relevant UN bodies and programmes to give favourable consideration to requests of Member States for technical assistance in the field of juvenile justice; invites the Secretary-General to strengthen the system-wide coordination of activities in the field of juvenile justice; also invites the Secretary-General to consider establishing a coordination panel on technical advice and assistance in juvenile justice.

1.3 Others international instruments

- League of Nations

Geneva Declaration of the Rights of the Child. The very first international framework which dealt with the rights of the child was the Geneva Declaration of the Rights to the Child (adopted by the League of Nations in 1924). This instrument was the starting point towards the protection of child offenders. It recognised that the delinquent child must be reclaimed. It is understood that 'reclamation' entailed that children and juvenile delinquents should be reintegrated and rehabilitated into society as law abiding citizens.

1.4 European Union

European Convention on Human Rights (ECHR) 1950. A legally binding instrument. Notwithstanding the ECHR does not specifically cater for juvenile criminals or offenders, it is one of the most effective ways that European children can safeguard their rights.

- Article 1: declares that States 'shall secure to everyone' the rights and freedoms enshrined therein.
- Article 5(1)(d): 'the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority'.
- Article 6: 'the press and the public may be excluded from all or part of the trial in the interests of (...) juveniles'.

EU Proposal for a Directive on Procedural Safeguards for Children suspected or accused in criminal proceedings (2013). It sets out specific minimum rules relating to the rights of juvenile offenders, promoting thereby the application of the Charter. The Proposal contains a total of 27 articles which include the issues dealt with in articles 37 and 40 of the CRC. This proposal for a Directive of the European Parliament and the Council aims to set common minimum standards throughout the European Union on the rights of children who are suspected or accused in criminal proceedings and of children subject to proceedings pursuant to Framework Decision 2002/584/JHA ("European arrest warrant proceedings").

Opinion of the European Economic and Social Committee (EESC) on The prevention of juvenile delinquency. Ways of dealing with juvenile delinquency and the role of the juvenile justice system in the European Union (2006/C 110/13). The EESC believes that shaping a common strategy to combat juvenile delinquency should be amongst the European Union's objectives to which most attention is given. It considers that juvenile delinquency is currently an aspect of crime causing growing concern in European societies. The principal aim of this opinion is to analyse the situation of minors who, on account of their behaviour which infringes the criminal law, are subject to the various juvenile justice systems and the available intervention mechanisms to protect, re-educate and reintegrate them into society, with a view to preventing recidivist behaviour. In section 6 the Committee talks about the advisability of creating a European framework of reference on juvenile justice; and in section 7 it establishes some guidelines for the elaboration of that European juvenile justice policy.

Opinion of the European Economic and Social Committee on ‘Cooperation with civil society to prevent the radicalisation of young people’ (2018/c 129/03). This opinion deals with long-term, effective measures taken at an early stage to prevent the radicalisation of young people. For the purpose of this opinion, radicalisation is understood as a process through which individuals or groups become extremists, eventually using, promoting or advocating violence for their aims. It is inextricably linked to violent extremism, as described in the 2015 European Parliament resolution, and it can surface in different societal contexts. Violent extremism motivated by radical ideologies has many faces, but many of them are young. Often it is young people, who come from a wide range of socioeconomic backgrounds and with vastly different levels of education, who are recruited. Young women are increasingly being recruited too. In efforts to prevent the radicalisation of young people, there is a need for particular attention to, and investment in civil society’s youth work and youth organizations providing alternative identification structures and opportunities, as well as a safe space for dialogue including active listening and personal expression.

European Parliament resolution of 21 June 2007 on juvenile delinquency, the role of women, the family and society (2007/2011). In this text, the European Parliament reminds Member States that ‘juvenile delinquency can be effectively combated only by adopting an integrated strategy at national and European level which will mesh three guiding principles: prevention, extrajudicial and judicial measures and the social inclusion of all young people’.

Furthermore, it also stresses in connection with the fight against juvenile delinquency ‘the value of introducing measures in the Member States which will provide alternative forms of punishment to confinement, and also educational measures at the discretion of the national courts, such as community service, reparation and mediation with victims and vocational training, depending on the seriousness of the offence and the delinquent's age, personality and level of maturity’.

Directive 2013/48/EU on the right to access a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty. ‘This Directive promotes the rights of children and takes into account the Guidelines of the Council of Europe on child friendly justice, in particular its provisions on information and advice to be given to children. This Directive ensures that suspects and accused persons, including children, are provided with adequate information to understand the consequences of waiving a right under this Directive and that any such waiver is made voluntarily and unequivocally. Where the suspect or accused person is a child, the holder of parental responsibility should be notified as soon as possible after the child’s deprivation of liberty and should be provided with the reasons thereof. If providing such information to the holder of parental responsibility is contrary to the best interests of the child, another suitable adult such as a relative should be informed instead. This should be without prejudice to provisions of national law which require that any specified authorities, institutions or individuals, in particular those that are responsible for the protection or welfare of children, should be informed of the deprivation of liberty of a child. Member States should refrain from limiting or deferring the exercise of the right to communicate with a third party in respect of suspects or accused persons who are children and who are deprived of liberty, save in the most exceptional circumstances. Where a deferral is applied the child should, however, not be held incommunicado and should be permitted to communicate, for example with an institution or an individual responsible for the protection or welfare of children’.

Designing and Managing Safe Public Spaces

UNESCO has defined public space as ‘an area or place that is open and accessible to all people, regardless of gender, race, ethnicity, age or socio-economic level’. In other words, this term alludes to public gathering spaces such as plazas, squares, parks, sidewalks, and streets.

The European Commission considered an Action Plan to support public spaces by stating that ‘protecting public spaces poses particular challenges for Member States. This is due to the broad variety of public places that have been or could be targeted, their different characteristics ranging from fully open spaces to areas with some form of protection, the variety of actors involved in the protection of such sites, the risk of mass casualties and, importantly, the imperative to strike a balance between improving security and preserving the open nature of public spaces, ensuring that citizens can continue their daily lives’.

Member States are primarily responsible for the protection of public spaces, but the EU can and should do more to support these efforts. In short, public space is one more element of society, in which people develop themselves and in which all kinds of relationships take place. Vandalism and criminal activity also find a stage for action in these spaces; even more, it is where most of antisocial behaviours take place (e.g., petty crime, violent demonstrations, extremism, mass gatherings, terrorist attacks, incivilities, unruly behaviours, and increasing aggression against law enforcement or other public guardians).

2.1. Council of Europe

European Code of Social Security (1964). This instrument set standards in the social security field on the basis of minimum harmonization of the level of social security, providing minimum standards and permitting (or rather encouraging) the contracting parties to exceed these standards. It also defines European norms for social security coverage and establishes minimum levels of protection which parties must provide in areas such as pensions, unemployment and invalidity benefits, medical care etc. ‘The Code aims at encouraging the development of social security in all member States of the Council of Europe to enable them to gradually reach the highest level possible. The Code fixes a series of standards which Parties undertake to include in their social security systems. The Code defines norms for social security coverage and establishes minimum levels of protection which Parties must provide in such areas as medical care, sickness benefits, unemployment benefit, old-age benefits, employment injury benefits, family benefits, maternity benefits, invalidity benefits, survivors' benefits, etc’.

Recommendation N.8 R (83) 7 of the Committee of Ministers to Member States on participation of the public in crime policy (1983). Recommends that the governments of member states have to promote the participation of the public in the drawing up and implementation of a crime policy aimed at the prevention of crime, the use of alternatives to custodial sentences and the provision of assistance to victims.

‘Security and crime prevention in cities: setting up a European observatory’ Parliamentary Assembly Recommendation 1531 (2001). In this recommendation the Assembly endorses the new strategies to combat insecurity based on improved coordination of preventive, repressive and solidarity-oriented

measures. These strategies rely not only on the commitment of the authorities concerned, but also on active partnerships between economic and social operators and restoration of the traditional roles of the family, schools, businesses, and civil society. Furthermore, this body is firmly convinced that appropriate responses to these challenges can but result from concerted action by the main national authorities concerned, but must at the same time involve greater cooperation between municipal authorities both within individual countries and at European level. To sum up, the Assembly notices that the main objective is to ensure the integration, at European level, of security and crime prevention policies and urban development programs, while respecting the principle of subsidiarity. Consequently, it is necessary to promote exchanges between municipal authorities, to foster training of local administrators and to design and implement joint policies in respect of transnational phenomena such as racism, drugs, prostitution, clandestine migration and the trafficking in humans that it gives rise to.

‘Future of social security in Europe’ Parliamentary Assembly Recommendation 1661 (2004). The Assembly points out that the competitiveness of European economies is partly dependent on the performance of social security systems in guaranteeing security for the future. The body is likewise convinced that effectively guaranteed social rights make for social cohesion and democratic stability. It is for this reason that the persistence of mass unemployment, the future of pension schemes and family-friendly social policies are major challenges that need to be taken into account. Otherwise, instability and lack of social cohesion will only increase antisocial behavior and crime in cities.

‘Urban security in Europe’ Recommendation 197 of the Congress of Local and Regional Authorities of the Council of Europe (2006). In this text the Congress points out that it has stepped up the development of European standards to control crime because of the need to improve the efficiency of international co-operation in criminal matters in order to prevent and effectively combat crime, while ensuring respect for the European Convention on Human Rights.

As a consequence, the need to promote concerted action at all levels (local, national and European) and notes, in particular, the importance of municipal authorities being more closely involved and taking on greater responsibility in implementing security policies is recognised. It also underlines that one way of combating urban insecurity is to develop sustainable local communities where people have access to a range of appropriate services and which are pleasant to live in. These communities must have the resources to satisfy the needs and expectations of their citizens, who should have real opportunities for participating in community life.

‘Improving user protection and security in cyberspace’ Parliamentary Assembly Recommendation 2041 (2014). The Assembly underlines the importance of other Council of Europe Internet governance standards that contribute to an inclusive, multi-stakeholder, collaborative and open Internet governance framework and recognises that the Internet is a global resource which should be managed in the public interest.

2.2. United Nations

2.2.1. General Assembly

United Nations Declaration on Crime and Public Safety (Resolution 51/60). This instrument promulgates 11 articles in relation to the obligation of all Member States to protect the security and well-being of their citizens and of all persons within their respective jurisdictions by adopting effective

national measures to combat the serious manifestations of transnational crime, the organized crime, illicit drug and arms trafficking, smuggling of other illicit articles, organized human trafficking, crimes of terrorism and laundering of the proceeds of serious crimes. To this end, the signatory States undertake to cooperate with each other.

2.2.2. Security Council

Resolution 2553 (2020). In this resolution, the Security Council expresses its concern regarding the need to improve and update the national and local security policies of the Member States. Motivated by this goal, it encourages Member States undertaking reform to take the lead in defining an inclusive national vision and strategy on security sector reform, informed by the needs and aspirations of the entire population; and to develop context-specific security sector reform strategies and programmes that, inter alia, mainstream a gender perspective remove legal, institutional and regulatory barriers to women's equal participation. Related to this, the Council reaffirms that the promotion of women's full, equal and meaningful participation makes an important contribution to building inclusive, accountable and legitimate institutions that more effectively protect populations and promote lasting peace and sustainable development.

On the other hand, the text also recognizes that youth should actively be engaged in shaping lasting peace and contributing towards conflict prevention, peacebuilding and recovery, including the promotion of the rule of law, justice and reconciliation, and that a large youth population presents a unique demographic dividend that can contribute to lasting peace and economic prosperity if inclusive policies are in place.

2.2.3. Others

- ECOSOC

Guidelines for cooperation and technical assistance in the field of urban crime prevention (Resolution 1995/9 of the UN Economic and Social Council). It establishes that any cooperation project in the field of urban crime prevention must adopt an inter-institutional approach and respond in a coordinated manner at the local level, in accordance with an integrated action plan and respecting a series of principles (both the action plan and the principles are stated and recognized in this text).

Finally, it is indicated how this action plan should be executed.

Guidelines for crime prevention (Resolution 2002/13). These guidelines find their rationale in the existence of clear indications that well-planned crime prevention strategies prevent crime and victimization, promote community safety, contribute to the sustainable development of countries, and improve the quality of life, of all citizens and produce long-term benefits by reducing costs related to the formal criminal justice system, as well as other social costs resulting from crime.

Consequently, these guidelines establish the elements necessary for effective crime prevention when designing and implementing national and local policies. Along with this, a contextual reference framework is established, a series of basic principles, as well as different types of organization, methods and appropriate approaches to develop these crime prevention strategies.

- UN-Habitat

System-Wide Guidelines on Safer Cities and Human Settlements (2020). Those guidelines provide a standard for how local governments should respond to the challenges of delivering urban safety. They also outline how national and sub-national governments should provide local governments with technical cooperation and assistance. The goal is to build and promote a vision of urban safety and security that makes society more cohesive and improves quality of life for everyone. This vision should integrate the participation of the community and be inclusive of all residents, especially the most vulnerable groups.

2.3. European Union

Opinion of the Committee of the Regions on ‘Crime and Safety in Cities’ (2000/C 57/15). In this text, the Committee begins by reminding Member States that under Article 29 of the Amsterdam Treaty, the EU must aim to provide citizens with a high level of safety within an area of freedom, security and justice by developing common action among all the States in the fields of police and judicial cooperation in criminal matters and by preventing and combating racism and xenophobia.

It underlines that at the local level, the most important crime prevention strategy is the provision of adequate protection in the cities because urban planning plays an important role in obtaining an even flow of users from the different categories throughout the day. Urban planners need to deal with structural situations which breed insecurity, e.g. urban decay; and crime prevention must be considered in the planning stage for both new construction and urban renewal projects. Finally, it

advises that this could be achieved through close cooperation between urban planning authorities, property owners and the authorities responsible for public safety.

Opinion of the European Economic and Social Committee on ‘Urban areas and youth violence’ (2009/C 317/06). In this opinion, the Committee provides an explanation of the characteristics and causes of collective youth violence in urban areas, and different types of response to a transnational problem like is the youth violence. The text finishes offering some proposals for a European policy on youth violence in urban area, some of them are:

- Young people’s organisations and schools must be given special recognition at the European, national and local levels. In particular, by offering activities that keep teens busy and thus prevent them from potentially falling into crime.
- The European institutions should encourage urban renewal strategies, in conjunction with sustainable social policies, with a view to improving land-use and planning, in order to prevent exclusion and make it easier for the most vulnerable members of society to integrate into city life.
- The authorities should provide the bodies working to protect and rehabilitate young people with sufficient resources, giving them adequate funding and staff, to ensure that their work has a real impact on young people’s lives.
- The European institutions should establish a funding line to protect young people from social exclusion in the most marginalised urban areas in order to support innovative schemes to improve social cohesion in civil society, and thus even boost young people’s initiative and entrepreneurship.
- The appropriate choices and specific training, if possible in line with European benchmarks, of the social, legal and police stakeholders, should be ensured and continually updated on the basis of multi-institutional and multidisciplinary cooperation against a background of exchanges between countries, especially with a view to establishing dialogue and relations between the police and young people.

Preventing Radicalisation Leading to Violent Extremism

States generally use the notion of 'radicalisation' to convey the idea of a process through which an individual adopts an increasingly extremist set of beliefs and aspirations. This may include, but is not defined by, the willingness to condone, support, facilitate or use violence to further political, ideological, religious, or other goals.

Some commentators have suggested that 'radicalisation' can be also understood as the process by which individuals adopt violent extremist ideologies that may lead them to commit terrorist acts, or which are likely to render them more vulnerable to recruitment by terrorist organizations.

The concept includes the incitement and recruitment of youth and adults to join terrorist organizations, raising money for terrorism purposes, disseminating violent extremist propaganda, and incitement to hatred and violence on the internet and social media.

3.1. Council of Europe

Guidelines on the Protection of Victims of Terrorist Acts (Council of Europe, Committee of Ministers-CM/Del/Dec (2005/917)). The present Guidelines aim at addressing the needs and concerns of the victims of terrorist acts in identifying the means to be implemented to help them and to protect their fundamental rights while excluding any form of arbitrariness, as well as any discriminatory or racist treatment. Thus, the Council of Europe invites member states to implement these guidelines and to ensure that they are widely disseminated among all authorities responsible for the fight against terrorism and for the protection of the victims of terrorist acts, as well as among representatives of civil society.

Action plan to combat violent extremism and radicalisation leading to terrorism (Council of Europe, Committee of Ministers-CM (2015)74). The purpose of this Action Plan is to develop, within the Council of Europe mandate and drawing on the Organisation's strengths and comparative advantages, targeted activities capable of supporting and reinforcing the efforts of member States and to contribute to the objectives defined at international level (UN). Concretely, the text establishes some principles and initiatives in order to reinforce the international legal framework against terrorism and violent extremism; and to prevent and fight radicalisation through concrete measures in the public sector, in particular in schools and prisons, and on the Internet.

3.2. United Nations

3.2.1. General Assembly

Resolution 70/291 of 2016 on the Review of the United Nations Global Counter-Terrorism Strategy. The United Nations General Assembly has encouraged the participation of local communities to develop strategies to counter arguments aimed at different aspects related to terrorism. One of the main points is recruitment and recruitment by terrorist organizations, with special reference to the study of the factors that drive the radicalisation of women towards terrorism and the prevention of the influence of young people in these activities.

3.2.2. Security Council

Resolution 1624 (2005). To prevent and prohibit incitement, strengthen international cooperation and border control, as well as to promote dialogue and enhance understanding among civilizations.

Resolution 2253 (2015). a) Decides that all States should take the measures previously set out in resolutions 1333 (2000), 1390 (2002) and 1989 (2011) with respect to ISIL, Al-Qaida and individuals, groups, undertakings and entities associated with them (asset freeze, travel ban and arms embargo); and, b) encourages all Member States to designate a national focal point on issues related to the implementation of the measures described in the resolution and to report to the Committee on obstacles to the implementation of the measures described in the resolution.

Resolution 2341 (2017). Recognizes the importance of broadening public awareness, participation and public-private partnerships, especially in relation to potential vulnerabilities and terrorist threats, through systematic national and local dialogue, training and outreach; and that, to this end, critical infrastructure protection is most effective when based on an all-hazards, all-threats approach, and when coupled with regular and substantive consultation and cooperation with critical infrastructure operators and law enforcement and security officials responsible for critical infrastructure protection, as well as, where appropriate, with other stakeholders, including private sector owners.

Resolution 2368 (2017). Urges Member States to remain vigilant against the use of information and communication technologies for terrorist purposes and to cooperate to prevent terrorist recruitment and fund-raising for terrorist purposes, and to counter their violent extremist propaganda and incitement to violence on the Internet and social media, including by developing messages that effectively counter the rhetoric of terrorism, while respecting human rights and fundamental freedoms and in accordance with their obligations under international law, and stresses the importance of cooperation with civil society and the private sector in this endeavour.

Resolution 2482 (2019). Encourages Member States to enlist the cooperation of local communities and relevant non-governmental actors in the development of strategies to counter violent extremism when it leads to terrorism and, to this end, proposes the empowerment of youth, families, women, religious, cultural and educational leaders and all other interested civil society groups. It also encourages them to take full advantage of INTERPOL's police capabilities, including its various investigative and analytical databases.

3.2.3. Others

- Conventions

International Covenant on Civil and Political Rights. Its article 20 establishes that "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law."

3.3. Others international instruments

- Conventions

International Convention for the Suppression of the Financing of Terrorism (1999). This convention is intended to prevent and punish those who collect funds with the intention of using them to commit terrorist acts. It was the first convention to condemn the logistical support of a terrorist act. Specifically, Article 18 establishes the obligation for all States Parties to cooperate in the prevention of the offenses set forth in the Convention by taking all practicable measures, adapting their legislation if necessary, and strengthening the exchange of information among themselves.

- ACP-UE Joint Assembly

Resolution (2018/C 415/04) on the urgent need for further counter-terrorism measures of 18 June 2018. Recalls that radicalisation and recruitment of individuals by terrorist networks is a global phenomenon; calls on the Union and ACP countries to redouble their efforts to combat radicalisation by addressing its root causes, including through educational and social integration and also through programmes empowering ethnic and religious minorities and marginalised communities. It affirms that religious extremism creates distorted narratives that push alienated people towards terrorism; emphasizes the importance of developing powerful alternative discourses and measures aimed at promoting interfaith dialogue in ACP and Union countries, in particular among young people, in order to increase mutual understanding and respect. Expresses its deep concern about the phenomenon of radicalisation in prisons, and calls on the Union and ACP countries to address this issue, notably through better funding of prison systems, avoiding prison overcrowding and improving administrative systems in order to identify radicalized inmates, monitor and prevent radicalisation processes, provide specific training for prison staff and create educational programs to ensure the de-radicalisation and social reintegration of ex-offenders at risk of radicalisation.

3.4. European Union

Revised EU Strategy for Combating Radicalisation and Recruitment to Terrorism (2014). It is the first instrument issued by this organization in this regard. The main approach is based on a combination of criminal justice measures with education, social inclusion and integration policies. This strategy aims at long-term prevention and calls on Member States to set up effective deradicalisation or demobilization programs, as well as exit or rehabilitation programs.

European Parliament Resolution on the prevention of radicalisation and recruitment of European citizens by terrorist organizations (2015). It highlights the organization's concern about the threat

posed by the radicalisation and recruitment of European citizens by terrorist organizations and warns that prevention should be addressed both to society in general, as well as to prisoners serving time in prisons. It stresses that cyberspace has become the main scenario in which this recruitment takes place, warning of the consequent need to establish prevention measures in this area as well.

Directive (EU) 2017/541 of the European Parliament and of the Council on combating terrorism. The EU again calls on Member States to increase their efforts to prevent and combat radicalisation leading to terrorism. It warns that the best strategy for this is the development and implementation of national prevention policies tailored to the needs, objectives and capacity of each state. In addition, all training and awareness-raising measures should be taken in cooperation with private companies, relevant civil society organizations, local communities and other stakeholders. In short, all member states are directly obliged to initiate the development and implementation of these prevention policies.

Preventing and Reducing Trafficking

A simple definition of the term 'trafficking' would be 'to deal or trade in something illegal'. However, for Law and Criminology, the issue is a bit more complex, forcing us to distinguish three types of trafficking: human, arm and drug trafficking.

4.1. Council of Europe

- Human Trafficking

Convention on Action against Trafficking in Human Beings (CETS No. 197, 2005). The Convention is a comprehensive treaty mainly focused on the protection of victims of trafficking and the safeguard of their rights. It aims at preventing trafficking as well as prosecuting traffickers. It also applies to all forms of trafficking, whether national or transnational, whether related to organised crime and whoever the victim, women, men or children and whatever the form of exploitation, sexual exploitation, forced labour or services, etc. Finally, the Convention provides for the setting up of an independent monitoring mechanism ("GRETA") guaranteeing Parties' compliance with its provisions.

'Prostitution – which stance to take?', Parliamentary Assembly Resolution 1579 (2007). In this resolution the Assembly reminds all Council of Europe member states to sign and ratify the Council of Europe Convention on Action to Combat Trafficking in Human Beings as soon as possible and, in the meantime, apply its provisions, in particular those on victim protection, including to victims of trafficking in human beings who have been forced into prostitution.

It also requests to all members that concerning child prostitution there should be an active policy to systematically prosecute the clients of minors; and concerning voluntary adult prostitution, all states should formulate an explicit policy on prostitution and avoid double standards and policies which force prostitutes underground or under the influence of pimps.

'Prostitution, trafficking and modern slavery in Europe', Parliamentary Assembly resolution 1983 (2014). The Assembly underlines the necessity of stepping up efforts to curb this threat, allocating the necessary resources and efforts towards prevention, investigation and prosecution, while ensuring that freeing victims from this modern form of slavery and restoring their rights and dignity remain at the center of actions undertaken. Likewise, it exhorts members states to design and enforce prostitution legislation and policies, and to ensure that public authorities strengthen cooperation with civil society, particularly non-governmental organisations (NGOs), at national and local level.

'Trafficking of migrant workers for forced labour', Parliamentary Assembly Resolution 19232 (2013). In this text, the Assembly recommends that Council of Europe member and observer States should tackle the phenomenon of trafficking of migrant workers for forced labour, review their immigration and return policies to bring them into line with the recommendations of GRETA so as to ensure that persons trafficked for forced labour are treated primarily as victims in need of protection rather than violators of migration control.

It also provides ways to achieve those objectives.

- Drug Trafficking

‘Threat to Europe from economic crime’, Parliamentary Assembly Resolution 1147 (1998). In this resolution the Assembly calls on the governments of member states to strengthen, as a matter of urgency, the Organisation’s resources in its fight against economic crime, money laundering and corruption and to speed up their work in these fields. Parallel to such international action, it exhorts all states to improve their legislation in these domains, adapting it to the requirements of international cooperation (for instance, by enabling confiscation, seizure or freezing of illicit assets from drug trafficking and other serious offences).

The Assembly also invites member states to include in their upper secondary school curricula the subject of organised crime and illicit economic activities in order to encourage prevention and offer citizens possible means, including individual means, of defending themselves.

- Arms Trafficking

‘Arms sales and human rights’, Parliamentary Assembly Resolution 928 (1989). The Assembly is ‘concerned that the full facts and figures of international arms sales are not always revealed to the parliaments or public of member countries, and that the final destination of arms as defined in end-user certificates can be concealed’. Equally, it is alarmed that arms sales increasingly involve not only traditional arms, but also systems that permit the production and launching of even more ominous weapons or weapon components (such as nuclear, chemical and biological ones) with incalculable consequences for the regions concerned and the world as a whole.

As a consequence, it makes some recommendations to all member states, such as:

- To work in favour of reduced and better controlled arms exports to Third World countries.
- To create control mechanisms, including at parliamentary level.
- To initiate the setting up of an open register on the production of and trade in conventional weapons, to which all members of the United Nations will be invited to adhere.
- To establish common criteria and definitions for arms sales, including modernisation and maintenance of equipment already supplied.
- To give high priority to encouraging a level of harmonisation of national legislation controlling and licensing arms exports.
- To take urgent steps to ensure the credibility of and compliance with end-user certificates for arms export sales with the maximum possible parliamentary scrutiny and contact.

‘The need for greater transparency in the arms trade’, Parliamentary Assembly Resolution 1524 (2006). The Assembly recognises that ‘the arms trade remains such a secretive business, frequently involving a complex chain of transactions and transfers, delocalised production, and sales through third countries and use of intermediaries. Consequently, this body calls on Council of Europe member states to ensure the highest possible level of transparency and accountability in the arms trade and to promote enhanced international cooperation in the regulation and control of the arms trade.

4.2. United Nations

4.2.1. General Assembly

- Human Trafficking

Resolution 64/293. Through this resolution, it is approved the United Nations Global Plan of Action to Combat Trafficking in Persons. In it, the members States reaffirm their commitments to end the heinous crime of trafficking in persons, especially women and children, express their determination to prevent and combat trafficking in persons, protect and assist victims of trafficking in persons, prosecute crimes of trafficking in persons and promote partnerships to strengthen coordination and cooperation, and resolve to translate their political will into concrete actions which are established in this plan.

Resolution 69/149 ('Trafficking in women and girls'). The Assembly calls upon Governments to intensify their efforts to address, with a view to eliminating, the demand that fosters the trafficking of women and girls for all forms of exploitation and in this regard to put in place or to enhance preventive measures, including legislative and punitive measures to deter exploiters of trafficked persons, as well as ensure their accountability.

Secondly, it underlines the necessity of strengthening measures aimed at advancing gender equality and empowering women and girls by, inter alia, enhancing their participation and leadership in society, including through education, economic empowerment and promoting an increase in the number of women assuming decision-making roles in both the public and private sectors, and to take further appropriate measures to address the increasing rate of homelessness of and inadequate housing for women in order to reduce their vulnerability to being trafficked.

The Assembly also urges Governments to devise, enforce and strengthen effective gender and age-sensitive measures to combat and eliminate all forms of trafficking in women and girls, including their sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy that integrates a human rights perspective, and to draw up, as appropriate, national action plans in this regard. At the same time, it encourages Member States to establish or strengthen national programmes and to engage in bilateral, subregional, regional and international cooperation, including by forging regional initiatives or plans of action, to address the problem of trafficking in persons.

Finally, this body invites all States to consider establishing or strengthening a national mechanism, with the participation of civil society (including non-governmental organizations) to ensure a holistic and coordinated approach to anti-trafficking policies and measures; to encourage the exchange of information; to report on data, root causes, factors and trends in trafficking in persons, especially women and girls; and to include data on victims of trafficking disaggregated by sex and age.

Resolution 70/179 ('Improving the coordination of efforts against trafficking in persons'). In this resolution, the Assembly calls upon Member States, international organizations, civil society organizations and the private sector to increase and support prevention efforts in countries of origin, transit and destination by focusing on the demand that fosters all forms of trafficking and the goods and services produced as a result of trafficking in persons. It also exhorts States to continue their efforts to criminalize trafficking in persons in all its forms, including the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, especially concerning children.

Resolution 59/156 ('Preventing, combating and punishing trafficking in human organs'). The Assembly expresses its concern for 'the potential growth of exploitation by criminal groups of human needs, poverty and destitution for the purpose of trafficking in human organs, using violence, coercion

and kidnapping, especially kidnapping of children, with a view to exploiting them by means of organ transplant operations'; and the need to 'strengthen local, regional and international cooperation in effective prevention and combating of such activities wherever they occur'.

- Drug Trafficking

Resolution 52/92 ('International action to combat drug abuse and illicit production and trafficking').

This is the last resolution that the Assembly has adopted in relation to this matter, so it reiterates much of the content of previous resolutions that dealt with this same issue. Firstly, this body renews its commitment to further strengthening international cooperation and substantially increasing efforts against the cultivation for illegal purposes, illicit production, sale, demand, traffic and distribution of narcotics and psychotropic substances, including synthetic drugs, and to controlling and preventing the diversion of precursors and essential chemicals used in the illicit manufacture of narcotic and psychotropic substances, in accordance with obligations of States under the United Nations drug control conventions, based on the principle of shared responsibility and taking into account experience gained.

It also reaffirms the danger and threat posed to civil society by illicit drug trafficking and its links to terrorism, transnational crime, money laundering and the illicit arms trade, and encourages Governments to deal with this threat and to cooperate to prevent the channeling of funds to and between those engaged in such activities;'

Finally, the Assembly calls upon States to increase efforts, with international cooperation, to reduce and eliminate illegal crops from which narcotics are obtained, as well as to prevent and reduce the demand for and the consumption of illicit drugs, in accordance with their obligations under the Single Convention on Narcotic Drugs of 1961 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;'

4.2.2. Security Council

- Human Trafficking

Resolution 2888 (2017). In this text, the Council recognizes the need to continue to foster a global partnership against trafficking in persons among all stakeholders through bilateral, multilateral and regional processes and initiatives. It also calls upon Member States to reinforce their political commitment to and improve their implementation of applicable legal obligations to criminalize, prevent, and otherwise combat trafficking in persons, and to strengthen efforts to detect and disrupt trafficking in persons; and to review, amend and implement anti-trafficking and related legislation to ensure that all forms of trafficking in persons are addressed.

- Arms Trafficking

Resolution 2370 (2017). The Council encourages Member States to strengthen cooperation and the exchange of good practices with civil society, including representatives of industry, in the fight against the illicit manufacturing and trafficking of small arms, light weapons and improvised explosive devices, including through awareness campaigns.

Resolution 2395 (2017). In this resolution the Council recalls member states the necessity of finding ways to intensify and expedite the exchange of operational information related to arms trafficking and

to increase the coordination of their efforts at the national, subregional, regional, and international levels.

Finally, the Council also exhorts Member States to step up their efforts to investigate, disrupt and dismantle networks engaging in trafficking in persons in areas affected by armed conflict and to take all appropriate measures to collect, preserve and store evidence of human trafficking.

4.3. European Union

Framework Decision 2004/757 / JHA of the European Council on the establishment of minimum provisions of the constituent elements of crimes and applicable penalties in the field of illicit drug trafficking (25th October 2004). The text defines a series of concepts, typifies conducts and determines who can be considered the perpetrator. It also establishes different types of sanctions, the possible liability of legal persons, as well as the rules of jurisdiction and prosecution in this regard.

Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (5th April 2011). This Directive establishes minimum rules concerning the definition of criminal offences and sanctions in the area of trafficking in human beings. It also introduces common provisions, taking into account the gender perspective, to strengthen the prevention of this crime and the protection of the victims thereof.

SECOND PART DELIMITATION OF THE NATIONAL LEGAL FRAMEWORKS

Nice (France)

1.1. Constitution (1958)

The French Constitution does not make any specific allusion to "public space" nor does it have, as in Spain, a Title dedicated to the recognition and guarantee of fundamental rights. Indeed, the French Constitution refers to the Declaration of Human and Citizen Rights of 1789. In its article 1 it proclaims the following: "France is an indivisible, secular, democratic and social Republic. It is assured that equality before the law of all citizens without distinction by origin, race or religion is assured. All beliefs are respected".

1.2. Criminal Code (1990)

A great variety of antisocial or criminal behaviors can take place in the public space and, in the case of France, it is in its Criminal Code where we find, par excellence, possible sanctions associated with such behaviors.

Chapter II of Title II of Book II (articles 222-1 to 222-67) penalises any conduct that endangers the physical, mental and sexual integrity of people, regardless of the place (public or private) or time when they occur. These are behaviors such as injuries, threats, coercion, assaults, sexual abuse, etc.

In Book II, a whole series of conducts aimed at damaging public or private property is also sanctioned. Facing the needs of Nice, we are interested to know what is established in Chapter I of Title I where thefts and robberies are typified; and in Chapter II of Title II, the destruction, degradation and deterioration of property and public or private space (that is, any type of conduct related to vandalism).

Chapter I of Title III of Book IV bears the name of "attacks on public during peaceful times", so that, in the articles 431-1 to 431-30, to make up this Chapter, behaviors are typified against public order such as:

- Obstruct the exercise of freedom of expression, work, association, meeting or demonstration.
- Criminal participation in a meeting.
- Illegal demonstrations and criminal participation in a public demonstration or meeting.
- Dissolved combat groups and movements.
- Illegal entry to a school educational establishment.
- Introducing weapons into a school
- Distribution of money for advertising purposes on public roads.

These acts will also be considered a crime if they are committed by a teenager between 13 and 18 years of age. In fact if there is not a specific Code or legal instrument, so they will be punished in the same way as an adult. However, in their penalty they will have a considerable attenuation depending on their age and the circumstances of the facts. For those who are under 13, there is a specific system of civil responsibility.

1.3. Specific legislation on the topic

Law of 30th of June 1881 on freedom of assembly. This law regulates the right of assembly and the conditions under which it can be exercised. Specifically, article 6 establishes that "meetings cannot be held on public roads; they cannot be held past eleven at night; however, in localities where the closure of public establishments occurs later, they may be extended until the time set for the closure of these establishments". Likewise, it is established that any infraction of the provisions of this law will be sanctioned with simple police penalties, without prejudice to the prosecution of crimes and misdemeanors that may be committed in the meetings (Article 10).

Decree-law of 23rd October 1935 regulating measures relating to the strengthening of the maintenance of public order. By means of this Decree-Law, it is recalled that meetings on public roads are and continue to be prohibited under the conditions provided by the law on freedom of assembly of 1881; but it establishes, as a novelty, that all processions, parades and concentrations of people are subject to the obligation of prior declaration, and, in general, all demonstrations on public roads (with the exception of those exits on public roads that in accordance with local practice are exempt from this statement). Those cases in which these meetings can be suspended or prohibited are also established.

Law n ° 2016-339 of 22nd March 2016 relating to the prevention and fight against incivility, against attacks on public security and against terrorist acts in collective passenger transport. This law establishes a series of modifications to the codes of transport, roads and internal security aimed at

preventing and fighting against serious attacks on public security and against terrorist attacks on public transport.

Law n° 2019-290 of 10th April 2019 aimed at strengthening and guaranteeing the maintenance of public order during demonstrations. This rule finds its origin in the altercations started by the “*gilets jaunes*” movement in October 2018, which caused so many altercations and damage in cities throughout France. In general, this law gives the police greater prerogatives to counteract disturbances in demonstrations and, among its most controversial articles, we find: Article 2 authorizes the authorities to search bags and vehicles in demonstrations and surrounding areas; and Article 6 makes it a crime punishable by up to one year in prison and a 15,000 euro fine, hiding one's face during a protest.

Law n° 2020-766 of 24th June 2020 aimed at combating hate content on the internet. Much of its articles have been declared contrary to the Constitution, which makes it a law that introduces modifications in the criminal procedural law in order to reinforce the effectiveness of the criminal response to the authors of content that incites online hatred (Chapter V); and in the Education Code to prevent the dissemination of content that incites hatred online (Chapter VI).

Bill for comprehensive security preserving freedoms of April 15, 2021. This bill, which was definitively adopted on 15th April, only has to pass a final review and will be finally enacted in the coming months. The concept of “global security” to which it refers is based on the idea that there is a need to better coordinate the work between the French police and the *gendarmerie*, and between the municipal police and the private security sector. In sum, there are four main aspects that are regulated in this legal text: powers of the local police; control of private security; video protection and drones; and sanctions in case of aggression or provocation against police officers.

- Powers of the local police: The text foresees an “experiment” in the field of municipal police that will begin no later than 31 October 2021 and that will be open to voluntary municipalities and inter-municipal authorities. It consists of granting municipal police the power to file a report against the commission of certain crimes (street vending, driving without a license or without insurance, consumption of narcotics, etc.), to immobilize vehicles or to seize objects. The text also facilitates the supply between municipalities of municipal police officers (or *gendarmerie*) and creates a legal framework to equip Paris with a municipal police force in 2026.
- Control of private security: The competences of the National Council for Private Security Activities (which is the public establishment in charge of ensuring the issuance of titles in the private sector and the control of its actors) are strengthened. The conditions for obtaining a professional accreditation are stricter (sufficient knowledge of the French language, possession of a residence permit for five years, etc.) and an upward revision of the obligations to be fulfilled by the directors of the company is also established. Likewise, the possibility of entrusting private agents with surveillance missions against acts of terrorism is established; and the power to issue ordinances in the field of private security is reconnected to the government. Finally, in order to massively recruit qualified personnel, particularly for the 2024 Olympic Games, the national police officers, exceptionally, will be able to compute for their retirement pension, the contribution from a private security activity.

- Video surveillance and drones: The municipal police will be able to view the images taken by the cameras in the vicinity of the shops and to ensure public transport. Certain RATP (or the Paris Public Transportation Authority) and SNCF (or French national railways) agents will have access to the video surveillance of the public highway under their responsibility. Article 22 of the Bill defines the legal regime for the use of drones by the police. The text specifies the cases in which the use of drones is allowed (which have been limited by the Senate): verification of certain serious infractions; surveillance of dangerous or inaccessible places; or demonstrations in case of risk of very serious disturbances. In addition to police officers, firefighters and civil security personnel, it will also be possible to use drones. In any case, prior authorization will be required before the use of drones for police operations (by a prosecutor or investigating judge). In addition, the Home Office will need to develop, and then regularly update, guidelines on the use of drones. Finally, a legal regime is created to allow police officers and other civil security officials to have on-board cameras in their vehicles. In particular, it is about facilitating the observation of infractions (assaults, urban detours, etc.). Although, the public will be informed through specific signage.
- Sanctions in the event of aggression or provocation from police officers: People arrested for serious crimes against a politician, police officer, magistrate or any other public official will no longer be able to benefit from certain mitigating measures. A new crime is incorporated into the Penal Code that punishes provocation that "with the clear objective of undermining their physical or mental integrity" is carried out by a subject before a request for identification by a police officer or gendarme in operation. This crime will be punishable by up to five years in prison. This new type also allows penalizing the creation of computer files for the purpose of maliciously identifying public officials. Likewise, the crime of ambush extends to attacks committed against police officers or gendarmes outside their working hours or against their family members. The text also foresees penalizing the purchase, possession, use and sale of pyrotechnic mortars to people other than professionals. Finally, a series of provisions on road safety and transport complete the text.

1.4. Other relevant legislation

Defense Code. Articles L2321-1 to L2323-6 establish the information systems security regime. That is, the procedures to be followed by the State security forces for those cases in which the computer systems of public or private entities are attacked, putting the security of the State and citizens at risk.

Internal Security Code. This book II is entirely dedicated to regulating public order and security, taking into account aspects such as:

- The prevention of violations of public order during demonstrations and meetings (articles L211-1 to L211-16).
- The suspension or dissolution of certain groups and associations that threaten the security and freedom of citizens (L212-1 to L212-2).
- The fight against terrorism and attacks on the fundamental interests of the nation (L221-1 to L22-10-1).
- The automated processing of personal data (L232-1 to L235-1).

- Video protection (L251-1 to L255-1).

Law n° 2010-1192 of 11th October 2010 prohibiting the concealment of the face in public space. This law prohibits the use in public space (roads and public places, as well as areas affected by public service) of any outfit intended to hide a person's face.

People who fail to comply with the provisions of this law will be sanctioned with fines of up to € 150. Likewise, in its article 4 it establishes a modification of the Criminal Code establishing a new article 225-4-10 by virtue of which, whoever requires that one or more persons hide their face through threats, violence, coercion, abuse of authority or abuse of power, by reason of his sex, will be punished with one year imprisonment and a fine of €30,000; and when the act is committed to the detriment of a minor, the penalties are increased to two years in prison and a fine of €60,000.

Law n° 78-17 of 6th of January 1978 relating to data processing, files and freedoms. In its article 1 it establishes that information technology must be at the service of each citizen and that its development must take place within the framework of international cooperation, not being able to undermine human identity, human rights, private life, or individual freedoms. In its article 2, it establishes that the material scope is the fully or partially automated processing of personal data, as well as the non-automated processing of personal data contained or intended to be included in a file.

This law also created the "*Commission nationale de l'informatique et des libertés*" and it explains its operation and composition. It is basically a body in charge of: 1) informing all interested parties and all those responsible for data processing of their rights and obligations and can, for this purpose, provide adequate information to local authorities, to associations and small and medium-sized enterprises; and 2) ensure that the processing of personal data is carried out in accordance with the provisions of this law and the other provisions relating to the protection of personal data.

Law n° 2006-396 of 31st March 2006 for equal opportunities. It includes in its Title IV the Fight against incivilities (articles 50 to 51-1).

Law n° 2007-297 of 5 March 2007 on the prevention of delinquency. It intends to improve the means for preventing delinquency by minors. Its aim is to make the mayor the central figure for prevention policies in the community and to strengthen the tribunals' role in enforcing this policy.

Law n° 2010-201 of 2 March 2010 on strengthening the fight against group violence and protecting persons performing a public service. According to this law it is allowed to install CCTV cameras in the communal areas of buildings, with the possibility of communication of footage through to police control rooms.

Law n° 2002-1138 of 9 September 2002 for the Organization and Planning of Justice. This law is also known as the 'Loi Perben I' and it punishes instances where juveniles show contempt for a teacher.

Rotterdam (Netherland)

2.1. Constitution (1815)

The Dutch constitution has 142 articles plus 30 additional articles. Chapter I includes the fundamental rights of all citizens and, in relation to the demands made by this city, it is worth highlighting what is established in the following articles:

- Article 6 recognises that “everyone has the right to freely profess their religion, beliefs or ideology, individually or in community with others, except the responsibility of each one according to the law” and that “for the exercise of this right outside of buildings and closed places, the law may establish norms to protect health, in the interest of traffic or to combat or prevent disorders”.
- Article 8 recognizes the right of association and warns that this "right may be limited by law in the interest of public order."
- Article 9 recognizes the right of assembly and demonstration; and it is established that "the law may establish norms to protect health, in the interest of traffic and to combat or prevent disorders."

2.2. Criminal Code (1881)

Crimes against public order are found in Title V of the second book under the ‘Crimes’ subheading. Articles 131 to 134 of the Criminal Code regulate violent behaviors that occur within the context called public space and are punished. Not only the fulfillment of any crime or act of violence against the authorities is penalized, but also the possession / or distribution of images or texts that provide information about these violent behaviors. It could comprise acts against public authorities that are considered illegal.

In Title V, from article 137 c) to 137 g) addresses and sanctions discrimination that takes place in public spaces on the basis of race, religion or belief, sexual orientation and physical disability. Example of these acts are, among others:

- Deliberately insulting in public.
- Inciting hatred or discrimination by means of a publication produced verbally, in writing or by illustration.
- Act violently against a person or their property.
- Post for commercial purposes or forward any statement that is offensive.
- Participate or provide both financial and material support for activities aimed at discrimination.

Title V also encloses the following articles 140, 141, 141 a), 142, 142 a) 143, 144, 145,146,148,149,150 that classifies violent demonstrations, which disturb public order as uncivil behavior or vandalism. In these articles the following behaviours are typified:

- Participate in an organization whose objective is the commission of criminal acts.
- Openly committing violence against people or property.
- Intentionally providing the opportunity, the means or the information to perpetrate a crime of violence against people or property.
- Deliberately disturbing public order by shouting or warning signals.
- Sending, abandoning, placing or giving information about an object that may be accessible to the public whose purpose is to believe that it could cause an explosion.
- Prevent a meeting or lawful demonstration by force or threat.
- Disturbing a lawful public gathering by causing disorder or noise.
- Prevent or interfere with a meeting by force or by threats.

In title VIII of the second book under the 'Crimes' subheading, crimes against public authorities are addressed in articles 180, 185, 186, 187 and 199. These articles define the following behaviours:

- Opposing resistance or threatening an official who is exercising their policing/official duties.
- Causing disturbances in a court hearing or in the place where the official is publicly working.
- Not to withdraw before the order issued or on behalf of a competent authority.
- Illegally starting or damaging a notification made publicly on behalf of a competent authority whose purpose is to prevent its reading.
- Breaking, lifting or deliberately damaging the seals with which certain objects are wrapped by the competent public authority.

Finally, we find in title XXVII that refers to those crimes aimed to destroy or damage where we find the typical conduct of destroying, damaging, disabling or disposing of an asset that belongs in whole or in part to another person.

Under Dutch Law, all these behaviors are classified as crimes even if they have been committed by young people between 12 and 18 years of age. For children under 12 years it is considered that criminal responsibility is not enforceable. The difference is found, therefore, in the sanctioning regime that is applied to offenders under 18 years of age. The socio-educational regime is regulated under the **Juvenile Justice Law (1994)**.

2.3. Specific legislation on the topic

Law of December 20, 2007, which modifies the Law on administrative fines for nuisance in public spaces. Through this law, municipalities are granted the option to introduce administrative fines for non-compliance with regulations. Each municipality in its municipal ordinances establish which behaviors may cause nuisance in the public space.

Law of February 11, 2017 on Temporary Administrative Measures to Combat Terrorism. It contains temporary regulations on the imposition of measures that restrict freedom of people who pose a threat to national security or who intend to join terrorist groups. It also contains regulations to try to mitigate the serious danger of using classified information for activities against terrorists.

Law of Municipalities 14 February 1992. Its article 172a grants the security forces of various municipalities the power to act against people who, individually or in groups, alter public order or who play a key role in it. Specifically, control is given at the municipal/local government level to fight general vandalism, neighborhood nuisance, nightlife violence or any other type of disturbance to public order derived from sporting events, parties, markets, etc.

Likewise, based on article 172b, municipalities also have the power to issue administrative fines directed at parents of children under 12 years of age who have repeatedly disturbed public order individually or in groups. In addition, the mayor can instruct, as preventive measure, that parents of these children ensure: that the child does not access certain places without supervision; or that the child does not enter unaccompanied between 8 p.m. and 6 a.m. on certain days of the week in places accessible to the public.

2.4. Other relevant legislation

Law of 27 June 2018, partially prohibiting the use of clothing that covers the face in public spaces. This text establishes a legal prohibition on the use of clothing that covers the face in public transport and inside buildings and associated courtyards of educational institutions, government institutions and care institutions.

Rules of conduct for the use of email, internet, mobile communication and social networks (2017). This ordinance is addressed to those workers who are part of companies or public entities in the province. The text regulates the use that these employees must make, outside and within their working hours of, mainly: email; the internet; mobile phones; and social networks, in order to prevent negative consequences for the province's image. In this way, access to certain web pages (those that may contain pornographic or racist material) are prohibited and employees are allowed to use these devices for personal or commercial purposes, although with certain limitations to avoid identity fraud. In short, what the province pursues with this regulation is to avoid the detrimental use by public employees of these technologies. It aims to avoid negative consequences that might affect the privacy and identity of governmental staff or companies in the province (such as data trafficking, fraud, discriminatory or racist behavior towards other citizens, etc.).

Riga (Latvia)

3.1. Constitution (1933)

Taking into account the queries made by the city of Riga, it is important to underline the article 103 which establishes that "the state will protect the freedom to hold previously announced peaceful meetings, demonstrations and pickets."

3.2. Criminal Code (1998)

In the special part of the Criminal Code of Latvia, we will focus on Title XX focused on crimes that go against security and public order. The following typified behaviours appear in articles 224, 225, 226, 227, 229 and 230:

- For the merger of more than two people in an organized armed group whose objective is to carry out illegal acts.
- Commit mass disturbances related to destruction, demolition, damage, fire, deterioration of property or violence against people, either by resisting or attacking public authorities.
- Breaking the procedures for the organization of events causing significant damage to state power, administrative order or the interests of persons protected by law.
- Participate in the organization of a group whose activities are the preaching of religious doctrine and / or the performance of religious rites causing damage to security and public order, health of people or the interests of a person protected by law.
- Destroying, damaging or desecrating a cultural monument protected by the State or carrying out an illegal export, having caused it substantial damage.
- Committing a serious alteration of public order by showing lack of respect for society, insolence or disregarding accepted standards of conduct and disturbing the peace of people.

In Latvia, all of these offences are considered a crime if they are committed by a person who is already 14 years old. However, these youths are not punished with the penalties included in the Latvian Criminal Code. Instead, a socio-educational measure will be imposed on them. These measures could be found in a legal instrument dated from October 2002 known as the '**Law on the application of coercive measures of an educational nature to children**'.

3.3. Specific legislation on the topic

Law of January 16, 1997 on meetings, marches and pickets. This law regulates the exercise of the right to call and participate in demonstrations, strikes or any type of group meetings that take place in public space and that may alter the peace and security of the same. Based on this, its article 11 establishes that "it is prohibited during these events":

- Carrying substances, weapons or other objects that by their nature are intended or may be suitable to cause bodily injury to persons or damage to property.
- Have passive protective equipment (helmets, hard hats, bulletproof vests, etc.).
- Hide the face under a mask or any other object.

- Use the flags of the former USSR, the former USSR republics and Nazi Germany, wear uniforms of the armed forces or law enforcement agencies, as well as the use of shields, hymns, the Nazi swastika, SS or Soviet symbols.
- Carry out activities contrary to morality.
- Act in a way that poses a threat to the safety and health of the participants of the meeting, march or strike or other people, as well as physically affect them.

Law of June 16, 2005 on Security of Public Entertainment and Holiday Events. This law establishes the legal bases for the organization and realization of public events, the rights, obligations and responsibilities of the organizer of an event, as well as of other people involved in a public event in order to guarantee public order and security during such event. Based on this, article 4 establishes that “during the course of a public event it is prohibited:

- Appeal against the independence and territorial indivisibility of the Republic of Latvia, urge violence in order to change the Latvian state system or request non-compliance with the laws.
- Incite violence, hatred, propagate the ideology of Nazism, fascism or communism.
- Propagate or incite war, as well as praise or request the commission of criminal offenses and other crimes.
- Use the flags of the former USSR, the former USSR republics and Nazi Germany, wear uniforms of the armed forces or law enforcement agencies, as well as the use of shields, hymns, the Nazi swastika, signs of the SS or Soviet symbols, except when their purpose is not related to the glorification of totalitarian regimes or the justification of crimes committed or used for educational, scientific or artistic purposes.
- Act in a way that poses a threat to the safety and health of event participants or other individuals.

Law of October 31, 2002 on the application of educational coercive measures to children. This law establishes different types of coercive measures of an educational nature aimed at young people, as well as the procedure for their application. Article 2 establishes that the objectives pursued with the application of these measures are: 1) the formation and strengthening of a value orientation in the child in accordance with the public interest; 2) counseling the child to refrain from illegal activities; and 3) the reintegration into society of a child with social behavioral disorders.

3.4. Other relevant legislation

Binding Regulation No. 80 of June 17, 2007 on Public Order Rules of Riga. The main purpose of this Regulation is to guarantee public order and security in the administrative territory of Riga, as well as to combat public neglect and sexual relations in public places. Specifically, in its article 6 it establishes that “it is prohibited in public places”:

- Sleeping, pitching tents, or creating similar structures for the purpose of lodging.
- The use of bicycles, scooters, skateboards or similar means of movement during the period between sunset and sunrise (according to calendar time), if there is no light reflector placed on the outer clothing in a visible place.
- Parking a motor vehicle or washing it outside the places specially enabled for this purpose.
- Spitting, littering or satisfying natural needs in places not intended for it.

- Damaging residential and public buildings, outbuildings, fences, other structures and architectural elements with inscriptions, drawings or in any other way.
- It is forbidden from 7 am to 11 pm to take a dog without a leash, to walk through public vegetation, except in specially conditioned and fenced areas; as well as taking the dog for walks in the playgrounds, entertainment areas, and children's sports fields.
- Bring drinks in glass or other unbreakable containers to places of public events.
- Take off and land with hang gliders, paragliders and hot air balloons, except in cases where it has been agreed with the Executive Director of the City of Riga.
- Consuming or possessing beer or other alcoholic beverages, except in places where the local government has permitted the use of alcoholic beverages.
- Swimming and bathing in fountains, lakes or similar places where there are prohibition signs posted by the local government.
- Damaging or moving state and local government information signs (prohibition, warning, restriction signs, etc.) or other objects of public use.
- Stay on the slopes of the Kanālmala vegetation, as well as on the grass and vegetation, where there are prohibition signs posted by the local government.
- Make a fire or light a bonfire outside the limits established by the local government or outside the places specially equipped for it.

Stuttgart (Germany)

4.1. Constitution (1949)

In May 1949 the Parliamentary Council of the Federal Republic of Germany approved its Basic Law made-up of 146 articles redacted in XI Chapters. Taking into account the demands that the city of Stuttgart has made , we are interested in the first one, which acknowledges what are the fundamental rights of all the German people.

Focusing on the topic of religious radicalisation and discrimination against groups based on race or religious belief:

- Article 3 establishes that: '(1) All people are equal before the law. (2) Men and women have the same rights. The state supports the implementation of equality between women and men and works to eliminate existing disadvantages. (3) No one can be at a disadvantage because of their gender, their origin, their race, religion or political opinions, nor due to any physical disability'.
- Article 4 establishes: '(1) Freedom of belief, conscience, religious and ideological creeds are unassailable. (2) The peaceful practice of religion is guaranteed. (3) No one can be forced to do military service involving weapons against his conscience. These are governed by federal law'.

Finally, regarding expressions of hate speech article 5 recognizes that '(1) Everyone has the right to freely express their opinion in words and broadcast, writings and images and to obtain information from generally accessible sources without hindrance. Freedom of the press and freedom to inform through radio and film are guaranteed. There is no censorship'. However, 'these rights are limited by the provisions of general laws, legal provisions for the protection of young people and the right to personal honour'.

4.2. Criminal Code (1998)

The German Criminal Code is also divided into two parts: The General Part and the Special Part. The first one establishes the common principles and norms which apply to all types of crimes, while the second one includes all those crimes with their respective penalties. In particular, according to the problems that Stuttgart has to deal with, Chapters I, II, VII, XIV, XVI, XVII, XVIII are the most interesting for the project.

Chapter I sets out those crimes carried out against public peace, safety and those that endanger the rule of law, such as:

- Inciting aggression (§80a).
- Broadcasting of propaganda by unconstitutional organizations or the use of symbols associated with them (§86 and §86a).
- Preparation of violent crimes that endanger the State, by giving instructions to carry them out or to establish relationships with third parties for this purpose (terrorism, §89a, §89b, §91).
- Financing of terrorism (§89c).
- Hatred of the State and offending its symbols (§90a).

- Despising the State and denigration of its symbols (§90a).

In Chapter II we find punishments for behaviour that involves State Treason or endangering State or Foreign security. Specifically, article §100 penalizes those who, being a German Citizen, intend to start a war or armed attack against the Federal Republic of Germany or who maintain relations with third governments, organizations or institutions seeking the same purpose.

Furthermore, Chapter VII typifies antisocial behaviour which threatens or endangers public order. Thus, this chapter includes crimes related to the radicalisation of people, terrorist activity and expression of hate (articles §126 to §145d):

- Breaching the peace by committing an act in which weapons or dangerous objects are involved, or in which the life and the physical integrity of people or their property are threatened.
- Disturbing public order or threatening to do so.
- To create a terrorist organization or to be part of one.
- Financing organized crime.
- Recruiting members for an illegal organization.
- Disturbing public order by inciting expressions of hatred against a national, racial, religious or ethnic group or violating human dignity by maliciously insulting or slandering the people of these groups.
- Publicly broadcasting or providing supplies to a person under 18 years of age with material whose content incites hatred and discrimination against minority groups.
- Approve, publish, deny or minimize an act committed under the rule of German Nazism or National Socialism which may cause a breach of public order.
- Violating the dignity of the victims by glorifying or justifying the tyranny of German Nazism or National Socialism .
- Publicly broadcasting or making available to minors under 18 years of age materials whose content shows the realisation of cruel or violent acts against human beings and which minimizes these acts in a way that violates human dignity.

In Chapter XIV, under the heading 'offense', we find punishments for a group of behaviours that could be related to Stuttgart's problems if they are committed against minority groups with the intention to discriminate against these groups. Such behaviours are:

- Insults in general (§185).
- The affirmation or broadcasting either, publicly or privately a false fact about another person that has the power to discredit that person or negatively affect public opinion about that person or may endanger their solvency (defamation, §186 and §187).
- Desecrating the memory of the dead (§189).

Finally, it should be noted that Chapters XVI, XVII and XVIII (§211 to §241a) sets out punishments for any behaviour that may threaten the life, the physical integrity and the freedom of people (homicide, murder, assaults, kidnappings, forced marriages, etc.) and that, if they were committed for racist or xenophobic reasons, they would also respond to the second problem presented by Stuttgart.

Under German Law, this behaviour is classified as a crime even if they are committed by young people. In particular, the German Juvenile Criminal Law establishes three categories. Firstly, teenagers under 14 years old are not criminally liable. Secondly, those who are over 14 but under 17 are considered by the Law as ‘youths’ and they will be punished if the judge considers that they were mature enough at the time of committing the punishable acts. These two groups will receive the treatment which is established under the **Juvenile Court Law** (1952). Finally, the third category is for those who are between 18 and 20 years old, considered as ‘half adults’. Generally, they will be punished as an adult but in some cases, if the Judge considers that their maturity is equivalent to that of a ‘youth’, they will be punished with one of the measures issued under the Juvenile Court Law.

4.3. Specific legislation on the topic

Legislative package against hate crime (2020). In June 2020 the German Federal Parliament (Bundestag) passed Bill 19/17741 to better combat the current increase in far-right movements and hate crimes. This new legal instrument is characterized by significantly supporting criminal legislation and by establishing some obligations to social network providers.

- Reforms to the Penal Code:
 - Punishment for the offenses of threats (§241 StGB) and insults (§85 StGB) are increased.
 - The scope for offenses of defamation against people in political life (§188 StGB) and breaches of the peace and public order through threats and incitement to hatred (§126 of the StGB, §140 StGB) is also increased.
 - The fact of committing a crime for “anti-Semitic reasons” is incorporated as a generic aggravating factor applicable to any type of crime (§46 (2) StGB).
- Obligation of social networks to inform the Federal Criminal Police. The law also establishes that all social network providers have to notify the General Office of Criminal Investigation if one of their users posts a publication that directly attacks the life or the physical and moral integrity of other people, or if the publication incites hatred.

Legislative package against terrorism. In Germany, anti-terrorism legislation is made up of a series of individual laws that serve to prevent attacks committed by these criminal groups. It has its origin in 2002, under the patronage of the then Minister of the Interior, Otto Schily. Below are the main laws that make up this package and that are currently in force:

- **Law of Fighting against International Terrorism (2002).** This law reforms other laws which are actually in force in order to include in them preventive measures against terrorism. By doing this, the German legislator aims to prevent and provide tools to deal with terrorist attacks in each of the areas that these laws regulate. Specifically, the laws it modifies are: Federal Law on Constitutional Protection (1990); Law of Security Review (1994); Federal Law on the Border Guard (1994); Law of Passports (1986); Law of Identity Cards (1986); Law of Association (1964); Law of the Federal Criminal Police Office (1997); Law of Foreign Affairs (1990); Law of Asylum Procedure (1993); Law of the Central Registry of Foreigners (1994); Law of the Federal Central Register (1984).; Law of Aviation (1999); Law of Energy Security (1975) and the Book X from the Social Code.

- **Intelligence Reform and Terrorism prevention Act (2004)**. The Title VI of this legal instrument, under the headline ‘Terrorism Prevention’ establishes a large list of specific measures to prevent terrorist activity which takes place in some areas of society. Specifically, the document includes recommendations to fight against individual terrorists (subtitle A); money laundering and the financing of terrorism (subtitle B); as well as the access of terrorists to destructive weapons (subtitle J).
- **Law of Anti-terrorist Activities and amendments to other acts (2016)**. Through its 60 articles, this act specifies the rules of performing anti-terrorist activities as well as the cooperation among the official bodies entitled to conduct such activities.
- **Antiterrorist File Law (2016)**. Through this legal instrument, a standardized central anti-terrorist database is established. In this way, the police authorities and the intelligence services of the federal and state governments will be able to use the information stored there in in their terrorism`s investigation and in the fight and prevention against terrorism.

General Law of Equal Treatment / Anti-Discrimination Law (2006). The aim of the General Law of Equal Treatment is to prevent and eliminate discrimination based on ethnic origin, religious beliefs, physical disability, age or sexual identity in the workplace and in civil life.

Regarding the labour market, the rights recognized in this law apply without exception to all employees, both in the private and public sectors. The text also recognizes that all workers have the right to be protected against discrimination and to claim damages or compensation when they are victims of this behaviour. For this purpose, the law establishes that all companies must create the corresponding complaints office and that all employees must be informed of its existence. Employers must ensure that there is no discrimination between their own workers and if it does occur they are obliged to impose them with sanctions.

On the other hand, the Anti-discrimination Law also applies to commercial activity, such as shopping, services, insurance contracts or bank transactions.

However, articles 8, 9, 10 and 20 establish those cases in which some types of discrimination may occur. Such cases are:

- That the reason for the discrimination represents an essential and decisive professional requirement due to the type of activity to be carried out or the conditions of its exercise, provided that the purpose is lawful and the requirement is appropriate.
- If it is a job linked to religious communities, institutions assigned to them regardless of their legal form, or to associations that are committed to the common cult of a religion or ideology.
- Differential treatment based on age is also allowed if it is objective, appropriate and justified by a legitimate purpose.
- The discrimination will be also legal if there is an objective reason for the different treatment such as: the avoidance of danger, the prevention of damage or other purposes of a comparable nature; the need to protect privacy (for example, separate opening hours for men and women in a sauna) or personal safety; and whether other special advantages have been granted and there is no interest in enforcing equal treatment.

4.4. Other relevant legislation

Strategy for prevention of extremism and democratic promotion of the federal government (2016).

The Federal Government's strategy to prevent extremism and promote democracy was adopted by the Federal Cabinet on July 13, 2016. It is the first interdepartmental strategy adopted on radicalisation and extremism. Thus, it provides measures and tools in order to fight against Islamist radicalisation, extreme right-wing violence, anti-Semitism violence and anti-Gypsy violence from a preventive point of view. Furthermore, it promotes the cooperation between federal, state and local governments, as well as within civil society. In this way, this legal instrument tries to extend these preventive measures through all areas of society: i.e. municipalities and districts, public institutions, clubs and associations, schools, universities, etc., and, in particular, the online world.

Order on the appointment and establishment of the Euro-just national contact point for terrorism issues (2004).

The Ruling 2003/48 of the European Council on the application of specific measures in the field of police and judicial cooperation in the fight against terrorism added to German Law by this order. Article 1 establishes that the Federal Prosecutor General of the Federal Court of Justice will be Eurojust's national contact point for terrorism issues, and articles 2, 3 and 4 establish the functions and obligations that the Federal Prosecutor must have come into effect. Finally, article 5 establishes a series of limitations to protect personal information.

Turin (Italy)

5.1. Constitution (1948)

The Italian constitution is made up of 139 articles divided into two parts: rights and duties of citizens (Part I) and organization of the Republic (Part II). In order to respond to the problems that the city of Turin presents, we are solely interested in the first part, since in it we find the following rights are acknowledged:

- Article 2. The Republic acknowledges and guarantees the inviolable rights of human beings, both as individuals and in the social formations wherein they develop their personality, and obliges the fulfilment of the duties of political, economic and social solidarity.
- Article 3. All citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinions, personal and social conditions. It is the duty of the Republic to eliminate obstacles to the economic and social order, which effectively limit the freedom and equality of citizens, and prevent the full development of the human person and the effective participation of all workers in the political, economic and social organization of the country.
- Article 17. Citizens have the right to assemble peacefully and without weapons. For meetings in public places, the authorities must be notified, and who can only prohibit the holding of such meetings for evident reasons of public safety.
- Article 18. Citizens have the right to associate freely, without authorization, for purposes that the law does not prohibit. Secret associations and those that pursue, even indirectly, political purposes through organizations of a military nature are forbidden.

5.2. Criminal Code (1930)

The Italian Criminal Code has 734 articles distributed into three books: the first one refers to the General Part of Criminal Law and the others, to the Special Part. Thus, we will be interested in analysing the content of the second and third books, since it is there that we found all conducts that are considered crimes under Italian law.

In Title V from Book II, under the heading ‘crimes against public order’, we found typified the following behaviours:

- Inciting to commit any type of crime (414 and 414 bis).
- The creation of criminal associations and, specifically, mafia-type associations (146 and 146 bis).
- Mugging or plundering (419).
- Attacking, damaging, or destroying public service facilities (Attacks on Public Service Facilities, 420).
- Threatening to carry out crimes against public order and security in order to cause fear in society (public intimidation, 421).

In Title VI we found sanctioned a group of antisocial behaviours that could be related to vandalism and baby gang activities; in particular:

- Attempting to the community or committing acts that endanger the security of society.
- Cause fire or fires in public or private spaces and endangering public safety.

In book II, Title XII ‘Crimes against people’ is named and we find in it sanctions for all types of aggression aimed at people's life, physical integrity and sexual, personal or moral freedom.

The last interesting Title in this Book is Title XIII (‘Crimes against property’) whereby the first Chapter typifies all conducts that, by using violence against things or people, damage is caused to property. In particular, article 635 under the headline ‘damages’ penalises conduct known as ‘vandalism’ by punishing anyone who, using violence or threatening behaviour, destroys, deteriorates, disperses or renders other people's property useless. Typical examples of this type of damage are those that occur during protests and strikes, such as setting cars on fire or breaking window glass.

With regard to Book III, in articles 650-661, the legislator also typifies a group of behaviours related to disobedience of mandates from the State Security Forces, as well as any more serious violation of public order and public security. Specifically, we find punishable:

- Disobeying an order from an official.
- To refuse or deny a personal identification order from a police authority.
- Manifest seditious shouts in public.
- Being part of a seditious gathering of ten or more people.
- Publishing or disseminating false, exaggerated or biased information in order to disturb public order.

Finally, it is important to know that these acts are also punishable if the author is a person between 14 and 18 years of age. However, they will be punished with milder measures. In addition, as is the case in Germany, the measure will be imposed only if sufficient maturity is proven at the time of the facts.

Youngsters under 14 years of age are not criminally liable but they could receive a socio-educational measure if they commit antisocial acts.

5.3. Specific legislation on the topic

Federal juvenile criminal law (2003). This law regulates the penalties applicable to persons who have committed, before the age of 18, an act by which the Penal Code or other federal law imposes a sanction. The principles that sustain this law are the protection and education of the minor. Furthermore, it also establishes that special attention must be paid to the living conditions and family situation of the child, as well as to his evolving personality. Finally, this legal instrument typifies all the protective, socio-educational measures and also the penalties that will be imposed on minor offenders.

Juvenile Criminal Procedure Code (2009). This law regulates the prosecution and sentencing of the crimes included in the Penal Code for those cases whereby the latter are committed by minors, as well as the enforcement of the corresponding sanctions. It also underlines those aspects that differ from the criminal procedures for adults.

Law n.216, of 19 July, 1991, of first interventions in favour of minors at risk of involvement in criminal activities. The main aim of this law is to fight against the risk that many young people present by becoming involved in criminal activities. To this end, it authorizes and promotes the implementation of initiatives aimed at protecting and guaranteeing the personal, social and physical development of minors who are at risk of social exclusion. In particular to achieve this goal, article 1 establishes the following initiatives throughout the national territory:

- Foster care programs for minors for which temporary departure from the family home has been necessary.
- The implementation of interventions to support families, in particular for the fulfillment of school obligations.
- The implementation of socio-educational activities in the risk districts.
- The implementation of interventions to be carried out within school structures at hours not dedicated to institutional activities or in the summer period.

5.4. Other relevant legislation

Law n.77, 8 August 2019, of urgent provisions on public order and safety. The content of this law is divided into three chapters and we are only interested in the third one. It establishes the following measures in order to fight against violence in sport events:

- Greater powers are given to Police officers. Specifically, they have legal authority to intervene and even suspend sport events if they become gatherings or violence demonstrations.
- It establishes two modifications to the Penal Code:
 - A new generic aggravating factor is established. Thus, if a crime is committed on the occasion or due to sporting events, it will have harder punishment.
 - It is established that mitigating measures could not be applied to some types of threats, aggressions and resistance against public officials punished if they have occurred on the occasion or due to sporting events.

Regional Law n.2, of 5 February 2018, of Provisions on the prevention and contrast of bullying and cyberbullying. This law establishes a regional plan of interventions to prevent and combat harassment and cyberbullying (also including bullying and cyberbullying of children and teenagers). Article 2 establishes all the measures and actions that are expected to be carried out for this purpose: from awareness campaigns and courses at all levels of society to the creation of support programs and psychological intervention for victims of these behaviors. Additionally, the establishment of centers specialized in the treatment of disorders derived from bullying and cyberbullying is considered.

Lisbon (Portugal)

6.1. Constitution (1976)

The Constitution of Portugal is made up of 296 articles that establish the fundamental rights and the territorial and functional organization of the Portuguese State.

Taking into account the demands that Lisbon has made, we have to point out that article 64 recognizes that 'Everyone has the right to health protection and the duty to defend and promote it'. It also establishes that to achieve the development of this right, the State must ensure 'the establishment of economic, social, cultural and environmental conditions that guarantee, namely, the protection of children, youth and old age, and for the systematic improvement of living and working conditions, as well as the promotion of physical and sports culture, school and popular, and also for the development of education for people's health and healthy life practice'.

Finally, in relation to vandalism, it should be noted that article 78 establishes the right 'to cultural enjoyment and creation', but also the obligation 'to preserve, defend and value cultural heritage'.

6.2. Criminal Code (1995)

The Portuguese Penal Code has 389 articles that are divided into two books. According to the rest of the continental Codes, the first book establishes the common principles and norms which apply to all types of crimes, while the second is where we find all the behaviour typified and sanctioned by the Portuguese legislator. Therefore, we will analyse this second part.

Firstly, crimes against life, physical integrity and personal, sexual and moral freedom are found in Title I. This must be pointed out because this type of aggression is normally associated with petty crime and uncivilised behaviour.

Next, Title II punishes all types of behaviour that attacks the property; specifically:

- Appropriation or stealing, with illegal intent, for oneself or for another person, a foreign piece of furniture or animal, with or without the use of violence (theft and robbery, 203 and 204).
- Destroy, damage, disfigure or disable, with or without violence, public monuments, or those that belong to personal and cultural heritage, or that are relevant to the technological or economic sector, as well as animals of high value, or that belong to a religious person, or that are part of a public service (damages, 212, 213 and 214).

Furthermore, in titles IV ('Crimes against life in society') and V ('Crimes against the State') we find punishable a group of conducts that injure or endanger public order, peace or security. Specifically, the Portuguese law forbids:

- Placing one self, with or without negligence, in a state of non-accountability derived from the ingestion or consumption of alcohol or toxic substances and, in that state, committing any of the crimes typified in this Code (293).
- Tempting or inciting the practice of a crime in a public act through social communication, in writing or other means of technical reproduction (public instigation of a crime, 297).
- Rewarding or praising, in a public meeting and through social communication, in writing or other means of technical reproduction, another person for having committed a crime, and provoking the risk of committing a new crime (public apology for a crime, 298).
- Promoting or founding a group, organization or association whose aim or activity is oriented to the practice of illegal activities (criminal association, 299).
- Organizing or participating in disturbances using violence against people or property or firearms (public revolts, 302 and 303).
- Disobeying an order that obliges the abandonment of or the termination of a public meeting issued by an official (disobedience to authority, 304)
- Threatening to commit a crime, causing discomfort and fear among the population (threat of committing a crime, 305).
- Opposing resistance to an official who is executing their function or disobeying their order (347 and 348).

Finally, it should be noted that these acts are also considered a crime if they are committed by young people between the ages of 16 and 21. However, they will not be indicted under this Criminal Code. Instead, the measures which sentence their criminal behaviour are regulated by the **Decree-Law 401/82**.

6.3. Specific legislation on the topic

Decree-Law 15/93 establishing the Drug Law. This Decree-Law establishes the legal regime applicable to the traffic and consumption of narcotic drugs and psychotropic substances. Specifically, Chapter I establishes that it is forbidden to supply these substances to people with a mental illness, as well as to minors. Next, Chapter II establishes penalties for the following behaviors:

- Cultivate, produce, manufacture, extract, prepare, offer, sell, distribute, buy, assign or provide other psychotropic or narcotic substances, without being authorized to do so.
- Manufacture, import, export, transport or distribute equipment and materials that are or will be used in the illicit cultivation, production or manufacture of narcotic drugs or psychotropic substances.
- Promote, found or finance a group of two or more people that cultivates, produces, manufactures, extracts, prepares, offers, sells, distributes, buys, or supplies other psychotropic substances or narcotics.
- Encourage, induce, incite or instigate the consumption of these substances.
- Consent to the consumption or illicit trafficking of psychotropic or narcotic substances in places such as hotels, cafeterias, commercial establishments, etc.

- Leaving a syringe or other instrument in a public or private place where there is an influx of people, having been used for the illicit consumption of narcotic drugs or psychotropic substances and creating a danger to the life or integrity of people.
- Deny the acts of inspection or oppose giving the required documentation.

Law 30/2000 on the legal regime applicable to the consumption of narcotic drugs and psychotropic substances, as well as to the health and social protection of people who consume said substances without a medical prescription. The purpose of this law is to define the legal regime applicable to the consumption of narcotic drugs and psychotropic substances, as well as the health and social protection of people who consume said substances without a medical prescription. It approves regulations for the protection of citizens and measures to reduce the supply of "legal drugs". It is made up of 29 articles where they express preventive measures, sanctions that carry these behaviors and everything about the suspension of penalties for these events.

Law 53/2008 of National Security. This legal instrument establishes preventative measures in order to: guarantee public order and security, give more protection to people and their properties, foresee and repress crime, ensure the normal functioning of democratic institutions and the regular exercise of rights and fundamental freedoms. Specifically, Chapter V of this law deserves special interest because it establishes new restrictive measures that police officers could adopt in certain cases, such as:

- Ask suspicious people in a public place, open to the public or subject to police surveillance to identify themselves.
- The temporary interdiction of the access to some places.
- Carry out, in a public place or establishment, open to the public or subject to police surveillance, searches in order to detect the presence of weapons, substances or explosive or pyrotechnic devices; objects that are prohibited; or persons wanted or in an irregular situation in the national territory or deprived of their liberty.
- The temporary seizure of weapons, ammunition, explosives and prohibited or dangerous substances or objects or subject to prior administrative license.
- Inspection actions or installation of safety equipment.
- Temporary closure of warehouses or factories of weapons or explosives and their components; of establishments for the sale of weapons or explosives; or ordered the cessation of the activity of companies, groups, organizations or associations dedicated to terrorism or violent or highly organized crime.

Law 61/2013 of the regulation of graffiti, perforations and other forms of alteration on buildings, sidewalks, walls and other infrastructures. This law establishes economic fines for those who alter the public space by doing graffiti, perforations or other types of vandalism behaviours. In particular, the sanctions appear in article 6 and they are considered:

- Very serious offence (fine of € 1,000 to € 25,000): when it permanently or prolongedly de-characterizes, alters, stains or profanes, the external appearance of movable or immovable property, or the exterior or interior appearance of passenger rolling stock or merchandise, putting its restoration at serious risk, due to the definitive or irreversible nature of the means used for its alteration.
- Serious offence (fine of € 150 to € 7,500): when it wrongly characterizes, alters or stains, for a long time, the external appearance of movable or immovable property, or the exterior or

interior appearance of the rolling stock of passengers or merchandise, but being reversible by cleaning or painting.

- Minor offense (fine of € 100 to € 2,500): when they erroneously characterize, alter, stain or desecrate the external appearance of movable or immovable property, or the external or internal appearance of the rolling stock of passengers or goods, but which are reversible by means of simple removal, cleaning or painting.

However, this legal instrument establishes that everyone can ask for a permission from the City Council to legally do these activities. In any case, the objects, equipment and materials that are altered without a license to which this law refers, will be seized and reassigned in favor of the State.

6.4. Other relevant legislation

Regional Legislative Decree 28/2012 / M approving regulations for the protection of citizens and measures to reduce the supply of "legal drugs". The purpose of this legislative decree is to define the legal regime applicable to the consumption and trafficking of psychoactive substances not controlled by specific legislation. It is composed of 15 articles and two annexes in which the scope of administrative offenses for producing, possessing, advertising, selling or transferring psychoactive substances is addressed, whether it has been imported or exported, as well as if the quantity is exceeded. for individual consumption. On the other hand, it mentions the competent entities, the prevention actions and the administrative measures that carry this type of conduct.

THIRD PART APPLICATION OF THE RELEVANT INTERNATIONAL AND NATIONAL REGULATIONS IN EACH LOCAL GOVERNMENT

Nice (France)

1.1. Challenges for the urban security of the municipality

Nice is really concerned about safety in public spaces. In fact, this municipality has already invested a lot in different means of securing public spaces such as alert buttons, surveillance cameras, anti-intrusion devices, facial recognition programmes and the use of drones and loud speakers. Notwithstanding this, the city continues to look for the most efficient ways to keep itself secure so it has selected as its main security priority the topic of **'public spaces'**. In particular, this municipality is concerned with:

- **Mass gatherings and crowds.** Mass gatherings are planned events attended by a sufficient number of people (at least >1000 persons) at a specific location, for a specific purpose (e.g. social function, public event, sporting event) and for a period of time. These types of events also put a strain on the planning and resources of the host community, state, local government, nation, or region where it is being held. The large number of people who attend these events, mixed with the presence of alcohol, might result in violence giving rise to aggressions and antisocial behaviour which require Multi-Agency Coordination and medical assistance.
- **Incivilities (including unruly behaviours and vandalism).** Incivility is a general term for social behaviour whereby civility or good manners are lacking in a society. It may range from rudeness or lack of respect for elders, to vandalism and hooliganism, through public drunkenness and threatening behaviour. Even though in Nice, police officers try to prevent juvenile delinquency and vandalism by developing social programmes and activities in the school (even during the weekend period and bank holidays), this unruly behaviour continues to take place.
- **Increasing aggressions against law enforcement.** The aggression and disrespect shown to police officers and other public guardians has increased in recent years. Sport events, strikes and protests are the main stage in which these behaviours take place. The threat that this trend means to public order makes prevention a priority to any city and country.

Finally, Nice has pointed out that another challenge for the municipality is **how to ensure physical security of public spaces** without excessively distorting its architecture and without giving to the city an 'anxiety-triggering character'. Therefore, it will be necessary to design and create security systems which are able to adapt themselves to the traditional urban design and without damaging the city architecture.

1.2. How international and national legal framework applies at the local level

It has been indicated that public space poses a challenge for the urban security of the municipality of Nice

Incivilities represent a well-established problem in France, as in many other Western countries. Public space challenges feature on the agendas of central and local governments, such as Nice, and has secured itself a place in Nice's organizational structure. This has given rise to a series of legislative and regulatory texts as we have indicated above (in the sections related to international and national legal frameworks). It has spread to security measures and procedures at both national and local levels and is included in the remits of a growing number of individuals: police officers, retired police officers and mediators, security guards, auxiliary police officers, street educators, educators in specialised prevention, park and so forth.

Incivilities have become established as a public problem by being closely linked to the feeling of insecurity and delinquency. With regards to the nature and extent of the legal responses that this framing of the public problem of incivility entailed, in France, it was during the 1990s that the concept was introduced by being linked to the question of insecurity and the interpretation of feelings of insecurity and fear of crime (*le sentiment d'insécurité*). This went hand in hand with ideas concerning the increase of urban violence and rioting in particular.

As indicated in point 1.2, security policies have seized upon this so-called 'phenomenon of incivility'. The concept of incivility covers a wide variety of behaviours, varying from loitering outside buildings or apartments to threatening attitudes (disorder, nuisance, damage to property, insults, waste dumping, etc).

As indicated previously, the French criminal code/*Code Penal*, establishes that a great variety of antisocial or criminal behaviours can take place in the public space and such offences could have as a result sanctions associated with such behaviours. Another offence must be mentioned here, French Law no. 2010-1192 of October 11, 2010 is known as the anti-burqa law, including the offence of masking one's face in the public space in French Criminal Law.

With regards to the consequences of these policies on urban regulation practices, in France, for the last three decades, there has been a reinforcement of crime response.

The ONDRP (Observatoire National de la Délinquance et des Réponses Pénales – National Center for Monitoring Crime and Criminal- Justice Responses, establishes that incivilities are dealt with by public action and the two primary sources of legal production when it comes to regulating incivilities are laws (*lois et décrets-lois*), which operate on a national level, and municipal bylaws, which operate within the territory of a particular commune (municipality, in this case Nice).

With respect to the latter, there is no official body in France that centrally monitors and records such bylaws: they are submitted to the prefectures in each *département* (for example, DAL [Droit au Logement – Right to Housing] and Vivre au Présent [Live in the Present]).

It should be borne in mind that we highlighted some of the most relevant legislation that has been accumulated, especially in the last 15 years, during which time, amending laws related to the Penal Code were passed. We shall focus our attention on the consequences of these policies on urban

regulation practices. For instance, in 1997, following the *Villepinte* symposium, at the initiative of the French interior ministry titled local security contracts (*contrats locaux de sécurité*, or CLS) were put in place. The aim of these contracts was to promote cooperation, on specific, jointly defined security issues, among the various actors concerned: the police, the judiciary, social services, associations or public transport operators among others. The CLSs in 2006, would replace the CLSs created in 1997 and would be followed by CLSPDs (*conseils locaux de sécurité et de prévention de la délinquance* – local security and crime-prevention councils) created in 2007, which make mayors the key coordinators of security policies at local level. The CLSPDs is responsible for the local coordination of the CLS or the territorial **security and crime prevention** strategy (STSPD).

The powers of French mayors in terms of security were extended through the creation of the settlement procedures enabling them to impose criminal sanctions for incivilities (**French law no. 2006-396 of 31 March 2006**, for equal opportunities). **French law no. 2007-297 of 5 March 2007**, known as the crime-prevention law, extended mayors' rights and obligations. In its Article 1, it is established that the public prosecutor must inform the mayor of any action taken following an infraction that disturbs the public space in the local government or municipality (diversion to other alternatives to prosecution, proceedings, etc). Following **Directives 2000/78 and 2006/54** of the European Union, France adopted new legislation during the 2000s to counter discrimination on the basis of gender. For example, **Articles 50 and 51 of the 'French equal-opportunities law of 31 March 2006'**, police officers can issue tickets for infractions established in the Criminal Code. Article 44-1 of the Criminal Procedural Code gives mayors powers to settle disputes by offering perpetrators to carry out unpaid community work or payback orders for the benefit of the municipality. This decree also gives municipal police officers the option of a simplified procedure for the application of a fixed fine. A mayor, under article. The mayor is also allowed to set up a computer file listing all the school children residing in the local government and to monitor attendance rates, any confidential information provided by social workers, inform children's Reporter of any difficulties a family may be going through (Article 10), and, issue a formal warning to minors or their families (Article 11).

From the mid-1990s on, ever growing numbers of municipal bylaws were passed, targeting disorder taking place in urban spaces, with a view to combating the nuisance caused to residents and/or traders who live or work nearby. For example, as it is the case in Nice, its municipal bylaws target young people by imposing curfews on anyone under 13 years of age, after 11 pm.

Mass gathering (crowds) from our study, it is ascertained that there are certain local government/municipality orders that prohibit gatherings of groups of people around certain public buildings (**city of Artenay, May 2013**), or even prohibit young people from 15 to 18 years of age, gathering and circulating in groups over three persons, in the town centre public spaces (**Montfermeil, 7 April 2006**).

As for noise nuisances, municipalities sometimes chose to prohibit alcohol drinking in selected streets (**Strasbourg**), some forbid ball games in certain areas (**Plouhinec, 26 June, 2014**) some were tempted by a new device known as Beethoven in France (also known as Mosquito). This device emits high frequency sounds to take away the young people, which created a large public indignation in 2007 and 2008. In Lyon, near the Rhone, French local governments have considered the possibility of setting up new urban water installations to keep juveniles away. Local municipalities, such as Nice, have the advantage of targeting specific issues and a sector of the population that are considered 'troublemakers'. For example, the crime-prevention law of March 2007 created the FIPD (*Fonds*

Interministériel de Prévention de la Délinquance – Interministerial Crime-Prevention Fund), a large proportion of which went toward financing CCTV installations. The law known as **LOPPS12 (Loi d’Orientation et de Programmation pour la Performance de la Sécurité Intérieure** — Act for the Organization and Planning of Internal Security Measures) of March 2011 allows officials in each departments, the option of forcing mayors to install CCTV systems.

Incivilities and unruly behaviours

Another major aspect of municipal action concerned with incivilities is action against incivilities that relate to cleanliness. Sanitary regulations impose and authorise prohibitions connected to cleanliness. The existence of this type of regulations reflects a growing intolerance of various forms of uncleanness and dirt, at least in the most touristic districts or cities, such as Nice. For example, Nice created the Green brigades that are dedicating a section of their municipal police forces to issuing fines, for failing to clean up dog mess or dropping litter cigarette butts.

With regards to young people, with the creation of the offense of group occupation of the communal spaces (18 March 2003 LSI), making the illicit occupation of building entrance halls an offence punishable with a high fine or even imprisonment . **The crime-prevention law of 5 March 2007**, extended the definition of this crime, to cover all communal spaces and roof areas. In addition, social landlords have been allowed to install CCTV cameras in the communal areas of buildings, with the possibility of communication of footage through to police control rooms (**French law no. 2010-201 of 2 March 2010**).

Another important aspect of legislative action against incivilities concerns the criminalization of increasing aggressions against law enforcement or other public guardians. The last 10 years has seen an enforcement of this category. For example, **the Act for the Organization and Planning of Justice (French law no. 2002-1138 of 9 September 2002)**, punishes instances where juveniles show contempt for a teacher.

The other challenge is how to ensure physical security of public spaces without excessively distorting the architecture of Nice and without giving it an anxiety-triggering character. In the crime statistics reform undertaken by the *Observatoire National de la Délinquance et des Réponses Pénales* (or ONDRP– National Center for Monitoring Crime and Criminal Justice Responses), a structure created in 2003 to clarify statistics on crime and criminality, operating under the auspices of the Interior Ministry, a new aggregate targeting incivility was created, called ‘behaviours that put public peace in jeopardy’. The ONDRP is a department of the National Institute for Higher Security and Justice Studies. Its main activity is the production and dissemination of statistics on crime and delinquency. The ONDRP's mission is in particular to collect statistical data relating to delinquency from all ministerial departments and public or private bodies having direct or indirect knowledge of facts or situations of harm to people or property. As such, it analyzes and disseminates data on crimes and offenses recorded by the police services and national gendarmerie units. With INSEE, it designs and operates the national victimization survey “Living environment and security”. In those organizations, personnel in contact with the public are very often those who observe and suffer, in the course of their work, the incivilities that are then measured and reported.

In sum, all these behaviours are considered a set of actions that disturb the social order, and can be distinguished by their public, demonstrative nature and represent the disruption of order that threaten

the harmlessness of the public relation to others. It should be borne in mind, first and foremost, that the implementation of law enforcement policies is demanding in terms of human resources. The legal possibility of applying sanctions has reduced the actual possibility of intervening. The other added problem is, in terms of penalisation, backlogs due to an overstretched judicial system, especially after the COVID-19 pandemic is over, courts all over France do not have the capacity to deal with more than a limited number of cases. The other limitation is that incivilities are still seen as negligible, particularly when there are not enough resources to tackle more urgent problems, such as violence.

Rotterdam (Netherlands)

2.1. Challenges for the urban security of the municipality

In Rotterdam the public space needs to be a safe and welcoming environment for citizens, entrepreneurs and visitors of the city. The municipality needs to be prepared in advance to fight against tension in the public spaces (online and offline) and to avoid, or at least diminish, negative influences which frequently cause violent aggressions and mass gatherings. In particular, Rotterdam is interested in the prevention of:

- **Violent demonstrations.** A demonstration is an action by a mass group in favour of a political cause. It often consists of walking in mass or rally to listen to speakers. Actions such as blockades and sit-ins may also be referred to as demonstrations. Demonstrations can be nonviolent or violent, or can begin as nonviolent and turn violent, depending on the circumstances. These last ones involve physical assaults, hate speech, threats and damage to bins, containers, trees, benches and, in general, everything that is part of the public space.
- **Incivility (including unruly behaviour and vandalism).** Incivility is a general term for social behaviour where civility or good manners are lacking, on a scale from rudeness or lack of respect for elders, to vandalism and hooliganism, through public drunkenness and threatening behaviour. In Rotterdam, some youngsters under 24 are involved in vandalism, so this unruly behaviour represents one of the main concerns that the city has, especially during the weekend nights.
- **The influence of the online world on the offline world.** Nowadays, many social relationships take place via online networks. Consequently, criminal activity, social confrontations and hate speech are also incorporated into these spaces via the 'online world'. In Rotterdam, youngsters are also involved in digital disagreements and this tension, built up on the internet, finds its way out in public spaces where these confrontations are translated into fight.

2.2. How international and national legal framework applies at the local level

In the Netherlands, the legislative power is held by the state. The Dutch national state retains a steering role across the extent of criminal justice and social policy. As we have learned, mayors have the duty of implementing national integral security policies in their municipalities. Rotterdam has used this position to shape local policy agendas in accordance with their preferences, by putting at an advantage the more social-policy oriented aspects of national policy.

As a way of background, during the 1990s, issues of urban security occupied a more prominent place in both national and local politics. We should bear in mind that from the mid 1990s' onwards the number of non-Western second-generation inhabitants grew by 62% to almost 1.5 million. The biggest ethnic groups in the Netherlands were the Surinamese, Moroccan, Turkish, Chinese and Moluccan communities. Also, the increase of people from non-western countries created demographic changes in the Netherlands.

The urgency of tackling incivilities was thus strongly connected with the increasing problem of immigrant, ethnic minority youngsters and gathering in groups in public spaces. It is argued that public feelings of insecurity and anxiety grew as many social problems were interpreted in terms of ethnic diversity and issues of urban security occupied a more prominent place in both national and local

politics. Therefore, the **White Papers ‘Security Policy’ (1995-98)** and the **‘integral security programme’ (1999)** launched debates on administrative sanctioning for offences and incivilities. These papers called for more surveillance in the streets, more competencies for the police and more prison cells.

Rotterdam is an example of how its central issues are the repression of incivilities and the fight against crime and how the local governance of safety is currently focused on street crime, pointing to a turn towards more punitive policies. From the year 2000 onwards, politicians became increasingly critical of the police for inadequately carrying out their duties for investigating crime and maintaining public order.

Rotterdam embraces the idea of administrative orders providing mayors with an instrument to sanction infringements on **general police regulations** (municipal code of prohibitions of certain behaviour). This policy prioritises maintaining public norms and values, more legal competences for the police and various incentives for police performance indicators. **The Dutch Police Act (2012)** was proposed for a new national police organisation that shares the responsibility for setting policing agendas with local authorities and is considered an important legislation in evolving politics of metropolitan policing in the Netherlands. Before 2013, administration of the regional police forces was usually with the mayor of the largest municipality in a region. With the Police Act 2012, this was transferred to the national level. Thus, in the Netherlands, the local level enjoys most of the power of authority over the police, whereas the power to decide over police resources is in the hands at the national level. As discussed in section 1.2 at the national level, the Ministry of Internal Affairs and the Ministry of Justice were both responsible for internal security and criminal justice. General crime policies are developed at the national level, whilst community and citizen-based policing are dealt with by local and regional levels. Local governments, such as Rotterdam, have formal responsibility for public safety within municipal boundaries, and this has been the case, ever since the **First Local Government Act in 1851**.

In the Netherlands, local governments consist of three independent bodies: the mayor, who has responsibility for public order and safety; the City Council; and the Board of Mayor and Aldermen. But it is the Mayor’s responsibility to safeguard local order. In order to do this, Dutch Mayors may give orders to the police to address specific threats to urban security . From a legal perspective the Dutch local governance system is essentially the same for all Dutch municipalities.

In the wake of the crisis, austerity measures and public sector reforms the Dutch national government launched a few important new policy initiatives that had a considerable impact on the governance of Dutch cities in the period between 1990 and 2020. The Dutch constitution provides all municipalities with a power of general competence and allows municipalities to play a role in the implementation of a wide range of national policies.

The central government could also play a role in initiating local government reform policies, such as **the Municipal Law 2002** (as with the introduction of new rules to strengthen the position of the municipal council vis-à-vis the mayor and the aldermen). On 14 February 2018 the Dutch national government and representatives of the Dutch provinces, local governments or municipalities agreed upon a joint Intergovernmental Programme established mainly to deal with seven major challenges in the physical, the economic and the social domain (climate mitigation and adaptation, increasing opportunities on the housing market, strengthening regional economies, improving the life chances of

vulnerable people, the issue of debts of households, and international migration through a flexible and faster asylum system). **The 2018 Intergovernmental Programme** also concluded on a number of principles that would guide the collaborative governance approach to these issues. The Urban Agenda for the EU 2016 aimed to contribute to the implementation of the UN 2030 Agenda for Sustainable **Development**, notably, making cities safe, resilient, and inclusive. Moreover, **The Pact of Amsterdam** builds on informal meetings of Ministers responsible for urban matters.

The challenges for the urban security of various Dutch municipalities in relation to violent demonstrations, incivilities, unruly behaviours such as vandalism are dealt by the Dutch police system. The balance of powers over policing changed in 2012 when the national police system was introduced in the Netherlands. In addition to the police (general investigating officers), auxiliary enforcement officers (special investigative officers; in Dutch: *Buitengewoon opsporingsambtenaren – Boas*) are also deployed for supervision and enforcement tasks, as well as for the detection of (certain) criminal offenses. These enforcement officers hold limited police powers and play an increasingly important role: in recent decades there has been a shift in which safety in public spaces is no longer the exclusive domain of the police. Municipalities are increasingly using municipal *Boas* for supervision and enforcement and with more tasks.

Through an exhaustive analysis of the constitutional legal settlement in The Netherlands, it is possible to consider how problems of urban security are governed. A particular focus for political competition over urban security is the use of public space and decreasing tolerance for 'incivilities', such as throwing litter/rubbish on the streets, disorderly groups of juveniles, beggars blocking the entrances of public and private spaces and drug and alcohol users occupying public squares. A possible driver of this conflict is the changing demography of The Netherlands, towards an ageing population more anxious about, and subsequently less tolerant of, young people's use of the public sphere (as considered by the Eurostat (<https://ec.europa.eu/eurostat/web/main>)). A second challenge is associated with migratory population flows (specially the increasing number of asylum seekers).

More can be found in the Netherland Institute for the Study of Crime and Law Enforcement (or NSCR) which conducts fundamental scientific research into crime and law enforcement. Our research is substantively innovative, methodologically state-of-the-art and contributes to the solution of major societal issues in the field of security and justice. And another significant scientific research body, such as the **Research and Documentation Centre (WODC)** which is the knowledge centre in the field of the Dutch Ministry of Justice and Security. The WODC carries out independent scientific research for policy and implementation purposes; by itself or the WODC commissions the research. Together with Statistics Netherlands and the Council for the Judiciary, the WODC produces an annual summary of the developments and relationships in society in the field of crime and law enforcement.

Riga (Latvia)

3.1. Challenges for the urban security of the municipality

Public order and public protection is the main security concern of Riga Municipal police action. More specifically, the municipality is interested in solving and preventing the following aspects:

- **Violent demonstrations.** A demonstration is an action by a mass group in favour of a political cause. It often consists of walking in mass or rally to listen to speakers. Actions such as blockades and sit-ins may also be referred to as demonstrations. Demonstrations can be nonviolent or violent, or can begin as nonviolent and turn violent, depending on the circumstances. These last ones involve physical assaults, hate speech, threats and damage to bins, containers, trees, benches and, in general, everything that is part of the public space. Riga is concerned about the increase of these violent demonstrations, so the city is looking for the best way to put an end to it and prevent their start-up.
- **Mass gatherings and crowds.** Mass gatherings are planned events attended by a sufficient number of people (at least >1000 persons) at a specific location, for a specific purpose (e.g. social function, public event, sporting event) and during a defined period of time. These types of events also have the intention of straining the planning and response resources of the host community, state, province, nation, or region where it is being held. The large number of people who attend these events, mixed with the presence of alcohol and the violent feelings that take place in them, give rise to aggressions and antisocial behaviours which require Multi-Agency Coordination and medical assistance.
- **Incivilities (including unruly behaviours and vandalism).** Incivility is a general term for social behaviour lacking in civility or good manners, on a scale from rudeness or lack of respect for elders, to vandalism and hooliganism, through public drunkenness and threatening behaviours. The vandalism is mostly done by youngsters and during the pandemic, when the schools have been closed, those disruptive attitudes have increased.
- **Increasing aggression against law enforcement.** The aggressions and disrespect to police officers and other public guardians have increased in recent years. Sport events, strikes and protests are the main stage in which these behaviours take place. The threat that this trend means to public order makes its prevention a priority to any city and country.
- **Protection of public spaces against modern technologies.** In the last few years, in the city of Riga the use of drones, e-scooters and other new technologies has increased. However, people who use them do not pay attention to how their use puts public security in danger. As a consequence, many traffic accidents and violations of the right to privacy have taken place in the city, and there is very little legislation to regulate and prevent these problems.

3.2. How international and national legal framework applies at the local level

Latvia is one of the countries that has given the most serious attention to both human security ideas and the Sustainable Development Goals (SDGs) agenda and has developed strong emphasis on supporting human resilience.

Marginalised individuals and communities are particularly vulnerable both to the virus and to losing their livelihood (**Adding human security and human resilience to help advance the SDGs agenda (No. 665)**). With the COVID-19 pandemic, the imbalances in the life chances that people have and the insecurities they face have become yet more evident. **The UN General Assembly Resolution 66/290 of 2012** on human security stated that: ...: “human security is an approach to assist Member States in identifying and addressing widespread and cross-cutting challenges to survival, livelihood and dignity of their people. Based on this, a common understanding on the notion of human security includes the following: the right of people to live in freedom and dignity; and Human security calls for people-centred, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people and all communities. Thus, people experience threats differently depending on their position in society. There is then not only one set of relationships that needs to be maintained in the social contract (Human Development Report Office Occasional Paper. New York UNDP 2016, ‘Moving development and security narratives a step further: Human security in the Human Development Reports’)

States and formal organisations cannot effectively handle all insecurities. So, any policy response should consider not only external protection of people against threats but their own agency in coping. This is comprehended by the UN Commission on Human Security (the Ogata-Sen Commission: CHS 2003), connects to the concept of securitability which emerged independently in work in Latvia (UNDP 2003): people’s ability to contribute to their own security, including to avoid, cope with and overcome situations of insecurity.

While rarely mentioned in the media of other countries, it interestingly illustrates pathways of human security and the Sustainable Development Goals (SDGs) in national governance.

Latvia joined the UN in 1991 and followed National Human Development Reports, UN principles won prominence. These UN concepts range from **poverty reduction (1996) to human security (2003) to human capability (2010)**. Human security ideas, understood especially as strengthening human resilience, entered national policy discussion spaces with the **2003 Report** and became **a guiding framework in the part of the National Development Plan 2014-2020 (Govt. of Latvia 2012, known as NDP2020)** that **set medium term goals toward achieving Latvia’s Sustainable Development Strategy to 2030 (Govt. of Latvia 2010, known as Latvia2030)**. The Plan was influenced by the 2008-2012 financial crisis that caused economic hardship and emigration to other countries.

The Latvian Human Development Report on Human Security (2003) gained international attention when it received the 2004 UNDP Human Development Award for Excellence. The Report provided new depth to UN work on human security. It argued that besides addressing specific threats, individuals and society needed to prevent or reduce potential threats and cope and mitigate their consequences. The Report discussed how this could be done by strengthening five ‘securitability’ factors for most people, namely: 1) economic security (sufficient and predictable income), 2) individual personal characteristics, 3) close positive interpersonal relations, 4) the ability to cooperate between people, and 5) the ability/capacity to trust and cooperate with government institutions and international organisations (**UNDP 2003**). In 2015 the UN General Assembly, enunciated relevant principles for a range of risks to human security, beyond epidemics. These *Sendai* principles highlight the need for surge capacity in regard to health, food and education. In the Latvia case, for example, the pandemic has propelled forward the **NDP2027** and **SDG** initiatives toward an innovative economy.

For the purposes of this report, as a way of background, Latvia enacted a new law on the police in 1991. Latvia law included three levels of police forces: the state and security police operating across the country, and local police forces placed in municipalities. One of the progressive policy features in Latvia law, for example, was the introduction of women into the police and that has had the greatest share in the police force among the other European Union states. The police consist of the State Police, the Security Police and the Municipal Police (municipal). A part of the police is also the combat and command staff of the Latvian Police. The State Police and the Security Police, perform their duties throughout the territory of the Republic of Latvia, and the police of local governments - in the relevant administrative territory.

The State Police and the Security Police are institutions subordinate to the Ministry of the Interior. The state police operate in accordance with the regulation approved by the Minister of Internal Affairs. The security police operate in accordance with the regulations approved by the Cabinet. Local government police are included in the local government, and the organization of work cooperates with the State Police. The task of the public security police is to guarantee public order, fight crime and protect individual objects. Activities of the police are controlled by the Cabinet of Ministers, the Minister of Internal Affairs and self-government institutions within their competence. Supervision of compliance with the law in the activities of the police is carried out by the Attorney General of the Republic of Latvia and the prosecutors subordinate to him.

In Latvia at present, there are many different law enforcement agencies. After the proclamation **of the declaration 'On Restoring the State Independence of the Republic of Latvia' on 04 May 1990'**, judicial reform was identified as one of the primary tasks. The creation of a new system of law enforcement agencies still, nowadays, continues to undergo the process of restructuring and improvement, changing the legal status of their activities. These activities are not regulated by one general law, and the legal status of each is determined by its separate legislative act. These bodies have common characteristics: (1) All of them are created in compliance with the principles of legality, human rights and social justice; (2) These bodies have competence to prevent and suppress offenses and to consider legal issues related to offenses and legal protection; (3) Law enforcement bodies have the right to apply appropriate measures of public and state influence to restore and strengthen law and order, up to the criminal punishment imposed by the court. Institutions and public organizations ensure law and order; protect the rights and freedoms of the individual; protect the interests of the state and society; prevent and suppress violations; and apply state and public measures of influence against persons who violate the rule of law.

Latvia consented to a number of international documents in the field of human rights and the harmonization of legislation. The gradual implementation process was marked by the following main legal developments: - **On September 26, 1990, the law 'On Prosecutor's Supervision in the Republic of Latvia'** was passed. It is said that this law marked the beginning of the law enforcement system. **On 04 July 1991, the Law on the Police** was passed. **On 15 December 1992, the law 'On Judicial Power'** was passed.

On 01 July 1994, a new law 'On the Prosecutor's Office' came into force, in 1996 the law 'On the Constitutional Court' was adopted. In recent years, the Latvian state has created all new institutions, including non-state ones, which we can subordinate to the above-mentioned system of law enforcement institutions, for example, **the Bureau for the Protection of Human Rights, Save the Children**, etc. Therefore, the range of law enforcement agencies has become extensive. The police are

an armed paramilitary institution of the state and local governments/municipalities, such as Riga, whose duty is to protect rights and freedoms, property of persons, the interests of the state from criminal and other unlawful attacks. A police officer holds a position in an institution of the police. A state police officer is an official of a specialized state civil service. The tasks of the police are as follows: guaranteeing the safety of individuals and society; prevention of criminal offences; assistance to individuals, institutions, and organizations in the protection of their rights and the implementation of statutory duties.

It is forbidden to involve the police to perform such tasks, which are not defined by the laws of Latvia. No one has the right to interfere with the actions of the police when it performs its duties, except for the institutions and officials authorized by law to do so. **The legal basis of police activity is the Constitution of the Republic of Latvia, international treaties, the law 'On Police', adopted on 04 June 1991, other laws of the Republic of Latvia and regulations, as well as local government resolutions,** if they do not contradict the laws of the Republic of Latvia.

It is interesting to note that in the 1990s the European Commission launched a broad initiative through the Association of European Police Colleges (AEPC) to implement new approaches to policing in Central and Eastern Europe. Latvia was one of the countries involved in that training role, and community policing and the prevention of the crime were integrated in the majority of these programmes. In the commentary to The European Code of Police Ethics as a recommendation (Council of Europe, 2001) adopted by the Committee of Ministers of the Council of Europe on 19 September 2001, the changing nature of police organisation is discussed. The community policing orientation is clearly advocated as a leading approach to policing contemporary societies (www.coe.int). For some years there has been a clear trend in Europe to integrate the police more fully into civil society, to bring them closer to the public. The development of “community policing” in several member states serves such a purpose.

In many cases it has been proved that the problem solving approach (www.thisisherefordshire.co.uk/herefordshire/localpolicing/) and problem oriented policing (www.popcenter.org/aboutCPOP.html) gives the best results. And this approach can be used also in local crime prevention activities.

Stuttgart (Germany)

4.1. Challenges for the urban security of the municipality

Stuttgart has selected as its main security priority **the topic terrorism and radicalisation**. As a result of the terrorist attacks from 2016 and 2017, it seems that youngsters are becoming victims of radicalisation activity promoted by terrorist groups. Stuttgart is also affected by the lack of trust in official institutions and the polarization created by fake news and conspiracy myths. Due to that, the municipal Government has pointed out the following concerns:

- **Religious radicalisation.** Religious radicalisation is a process by which a person or group of people decide to adopt increasing extreme religious ideals that reject or undermine the status quo or freedom of choice. These radical organizations are focused on capturing people who are more easily influenced. The threat posed by this fact justifies Stuttgart's concern and the need to find tools that allow them to protect their youngest citizens.

- **Discrimination against groups based on race or religious belief in the city.** Xenophobia, racism and aporophobia are present in society and may cause discrimination against minority groups in public spaces, educational centers and in the workplace.
- **Hate speech towards certain groups in the city.** Hate speech is defined as abusive or threatening speech/expression against a particular individual or group of people, especially on the basis of race, religion, or sexual orientation. Hatred and social tension generated by extremist groups (both political and religious) explains why hate speech plays a leading role in all areas of society, although more specifically, in the online world.

4.2. How international and national legal framework applies at the local level

The Federal Republic of Germany is a federal state and is organized in the form of a parliamentary democracy. The Basic Law (Constitution) stipulates that all state power emanates from the people. The people transfer that power to the parliaments: *Bundestag* and *Länder* (parliaments of the federal states), for the period of one legislature. Stuttgart is the capital of the state of *Baden-Württemberg*, in southwestern Germany, therefore, in this city, both the laws emanating directly from the *Bundestag*, as well as those approved by the *Länder* of *Baden-Württemberg*, are applicable.

Before the reform of the police system in the Weimar Republic, the police in most of the German federal states were organized on a municipal basis and the police officers were employees of the municipalities. In addition, there were police and gendarmerie authorities at the national and state levels. However, with the creation of the Federal Republic of Germany, all the existing security forces in the various cities were nationalized. In this way, the German Police Forces (*Polizei*) are born, in charge of ensuring compliance with federal and state laws, as well as maintaining order, security and public peace. However, although the *Polizei* constitutes a single security body, to adequately meet the needs of each territory, it is divided into three levels: the federal level (*Bund*), the state level (*Land*) and the local level (*Kommunen*). Logically, the latter is the one that interests us.

The Stuttgart local police are part of one of twelve police headquarters under the Ministry of the Interior in *Baden-Württemberg*. Around 2,200 police officers are part of this body and they are in charge of ensuring that the state capital, Stuttgart, is one of the safest cities in Germany. Alongside them, the so-called “neighborhood watch” also contributes significantly to maintaining order and public peace in Stuttgart. It is a volunteer program implemented throughout the State of *Baden-Württemberg* and which allows citizens to help the Local Police. These volunteers are specially trained, wear uniforms, and are armed. Their main task is crime prevention: conducting foot patrols to deter crime on the streets, near schools and kindergartens and maintaining contact with potential victims of common crime and juvenile delinquency.

The number of crimes recorded by the police in recent years shows that Stuttgart is one of the safest cities in Germany. In order to maintain this trend, the Stuttgart Security Association has been created and is in charge of the design and implementation of measures, programs and activities aimed at preventing local crime and maintaining peaceful coexistence in the city. From citizen awareness campaigns on criminal phenomena and their frequency, to specific programs developed in the city's schools and in which minor issues such as moral courage, self-assertion and the protection of victims are worked on. The success of its actions is due to the structure of the association itself, since it is based on the coordinated action of three fundamental pillars of every city: the citizens, the city council

and the local police. Therefore, it seems that vandalism, petty crime or incivility are not a threat to Stuttgart, but there are security problems.

Between the beginning of 2017 and March 2020, a national report entitled 'Right-wing extremism in the security agencies' detected 377 cases of right-wing extremism in the ranks of the security forces. Most of the cases referred precisely to the publication on networks and chats of symbols and messages with unconstitutional content, including the glorification of National Socialism. Along with this trend, there have also been a series of acts that have unleashed political outrage and seriously worry the country. Some of these cases are the attempt of taking over the Reichstag building by far-rightists last August 2020 during a demonstration of 'covidescptics', the murder of a conservative politician and defender of refugees, the massacre perpetrated by a far-rightist in Hanau, or the attack on a synagogue in Halle.

Faced with this situation, Stuttgart has focused on the need to prevent and fight against religious radicalisation, discrimination and hate speech. To do this, it is essential to know the legislative framework to which the town is subject, both internationally and nationally and locally.

In 1966, through the **International Covenant on Civil and Political Rights**, the international community addressed for the first time the issue of incitement to extremist violence. Thus, article 20 of this Covenant establishes that "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law".

Since then, the United Nations Organization from several bodies has shown concern in this respect and in how to prevent recruitment at all levels. The General Assembly in its Ruling 70/291 of 2016 on the Examination of Global Strategy of the United Nations against terrorism encourages local communities to form strategies which counteract arguments orientated to different aspects related to the phenomenon, making among them special reference to the study of factors which provoke the radicalisation of women to terrorism and to preventing influencing young people towards these activities. At the same time the Security Council in its Rulings 2341(2017), 2368 (2017) and 2482 (2019) includes how strategies should be raised at a national and local level against violent extremism when it leads to, terrorism. These Rulings opt for cooperation at all levels, international, national and local in order to prevent the broadcasting of messages which incite violence and the capture of terrorists.

The Commission of Ministers of the European Council has also shown its commitment in the fight against terrorism and the violent radicalisation through the formation of an Action Plan, that is the '**Action plan to combat violent extremism and radicalisation leading to terrorism**'. In particular this action plan establishes a series of measures to prevent and combat the radicalisation in local surroundings, in particular in schools, in prisons and on the Internet. Similarly, the **ACP-EU Joint Assembly** in its **Resolution 2018/C415/04 on the urgent need for further counter-terrorism measures** recalls that radicalisation and recruitment of individuals by terrorist networks is a global phenomenon, but it must be eradicated by addressing its root causes, specifically through educational and social integration and also with programs that empower ethnic and religious minorities and marginalized communities. Additionally, the Assembly expresses its deep concern about the phenomenon of radicalisation in prisons and emphasizes the importance of developing powerful alternative measures at the local level to promote interfaith dialogue among young people, in order to increase mutual understanding and respect.

Within the supranational sphere, in 2014 the **European Union** also began to speak out about the need to prevent terrorism and radicalisation. The **Revised EU Strategy for Combating Radicalisation and Recruitment to Terrorism** was the first instrument issued by this organization in this regard, but it just established some long-term prevention measures. One year later, the European Parliament adopted the **Resolution on the prevention of radicalisation and recruitment of European citizens by terrorist organizations** which highlights the organization's concern about the threat posed by the radicalisation and recruitment of European citizens by terrorist organizations. Furthermore, the Organization stresses that cyberspace has become the main scenario in which this recruitment takes place, warning of the consequent need to establish prevention measures in this area as well.

More recent in time, there is the **Directive 2017/541 to combat terrorism**. With this instrument, the European Union urges Member States to develop and implement prevention policies tailored to the needs, objectives and capacity of each state. In fact, it establishes that all training and awareness-raising measures should be taken in cooperation with private companies, relevant civil society organizations, local communities and other municipality stakeholders. All member states are directly obliged to initiate the development and implementation of these prevention policies. It is important to emphasize that, as it is a directive, all member states are directly obliged to initiate the development and implementation of these prevention policies.

At the national level, we found that German anti-terrorism legislation is made up of a series of individual laws that serve to prevent attacks committed by these criminal groups in different areas of society. All of them are known as the '**Legislative package against terrorism**' and in our context the most interesting of them is the **Antiterrorist File Law**. Approved in 2016, it creates a standardized central anti-terrorist database which information could be used by police authorities from all levels (federal, state and local) in order to facilitate investigations of terrorism and to fight and prevent terrorist activities more effectively. Likewise, the *Bundestag* is actually working on a new legislative package to fight against hate crime ('**Legislative package against hate crime**') which first bill was approved last June, and which has the aim to better combat the current increase in far-right movements and hate crimes.

At the same time, the Federal Government has also worked to prevent terrorist threats. Its efforts have resulted in the implementation of the first interdepartmental '**Strategy for prevention of extremism and democratic promotion**' in July 2016. Its main purpose is to fight against Islamist radicalisation, extreme right-wing violence, anti-Semitism violence and anti-Gypsy violence through different preventive measures which have to be adopted in all areas of society, specifically, in municipalities, public institutions, clubs and associations, schools, universities and, the most important, the online world.

It also deserves to be taken into account the **General Law of Equal Treatment or Anti-Discrimination Law** from the year 2006. With a more transversal purpose, this instrument was elaborated in order to prevent and eliminate discrimination based on ethnic origin, religious beliefs, physical disability, age or sexual identity in the workplace and in civil society. Even though it has led to a series of very important structural changes, hate speech and discriminations are still alive in society.

Finally, as indicated above, the **German Criminal Code** establishes sanctions for all those antisocial behaviours related with radicalisation and terrorism activity and which are considered as a crime, even if these offences are committed by youngsters under 18 years old.

Turin (Italy)

5.1. Challenges for the urban security of the municipality

For Turin's Government, a good quality of life requires the correct administration of public spaces, in particular because socialization occurs mainly in public spaces (where people of different ages and cultures meet). Therein lies the importance of allocating increasing attention and resources to public spaces given that they are the hub of socialization processes. Despite efforts to achieve this aim, the city of Turin has selected **the topic public spaces** due to the fact that they still have to deal with the following big problem:

- **Incivility, petty crime and vandalism led by 'Youth Gangs'**. Incivility is a general term for a lack of civility and good manners in social behaviour, on a scale ranging from rudeness or lack of respect for elders, to vandalism and hooliganism, due to public drunkenness and threatening behaviour. For its part, the concept 'petty crime' is used to refer to robberies, simple assaults, jaywalking, public intoxication, disorderly conduct, trespassing, (also) vandalism, reckless driving, or possession of marijuana. In Turin, in petty crimes and vandalistic acts, juvenile groups target victims indifferently, whether minors or adults, and cause damage to public property. These groups represent a serious threat to the city.

In this context, the demand made by Turin is to find the best way to work with these young people in order to provide them with a positive alternative away from such criminal acts and social deviances. As long as they are young it is possible to support them in seizing new opportunities which distances them from criminal groups and activities.

5.2. How international and national legal framework applies at the local level

Italy has been a Parliamentary Republic with representative democracy since 1946 when the Monarchy was abolished by popular referendum. The Italian Government has always been characterized by great instability and consequently social riots and legal insecurity are defining elements of the country. This instability is increased by the high criminal activity carried out by the Mafia since the end of the 19th century and by the arrival, in recent years, of new threats such as terrorism or radicalisation.

Article 117 h) of the Italian Constitution establishes that the State has legislative competence in matters of security and public order, with the exception of the Local Police. Thus, in 1982 the Presidential Decree regulating the organization and function of the State Police (*Polizia di Stato*) was published. It is a civil security body dependent on the Ministry of the Interior and it is present in each of the 105 Italian provincial capitals. Nevertheless, at the local level, the Municipal Police forces are also responsible for maintaining order and public safety. To this end, the municipal police officers are assigned powers in matters such as the fight against illegal trade, drug crimes, against property, against people or against the environment; protection of minors and protection of public property. Although they carry out similar functions, the difference between State and Municipal Police is that the second of them does not depend on the State, instead it is created and managed by the municipality.

Despite the protection action from these security bodies, crime is a constant in most Italian regions and even if there are areas much less conflictive than others, Turin is not one of them. Located in the

Piedmont region, in northwestern Italy, Turin is currently considered the fourth least safe city of Europe (behind Marseille, Naples and Catania), mainly due to the threat which represents terrorist alert and the increase of petty crime, vandalism, assaults and other uncivilised behaviour. To deal with these problems, the Municipal Police of Turin has implemented a series of measures and programs aimed at preventing and tackling, among other things, attacks on vulnerable groups (the elderly, children and women), unlawful mass gathering and riots in public spaces and public transport, conflictive situations between condominiums due to behaviour that affects civil cohabitation (such as noise or sanitation problems) or theft and abandonment of vehicles. However, there is still a problem that seriously threatens the municipality and that has been increased after the pandemic: the juvenile delinquency led by groups that are described as 'Baby Gangs'.

The (controversial) term 'Baby Gang' is utilized as a journalistic metaphor aimed at identifying an unorganized and unstructured phenomenon of violent and aggressive sporadic episodes of juvenile delinquency. The perpetrators of these acts are minor boys and girls, under the age of eighteen years, who carry out assaults, robberies, thefts and even kidnappings or homicide. They have no leader and they do not receive any commands of order from anyone superior as in organized crime led by adults. In fact, the motivation of these groups to commit such criminal acts lies presumably in 'boredom' or the desire to live an 'adventure' or the need to 'experience a rebellion'.

An important point to note relates to the asymmetrical rate of non-filed complaints to the authorities. Among the reasons that explain this phenomenon we find: the population's fear of being the target of these groups or their sympathizers, the distrust that citizens have in official authorities, and the feelings of shame that the victims of this aggression have and that inhibits them to report the attacks they suffered.

Faced with this situation, Turin has focused on the need to prevent and fight against uncivilised behaviour, petty crime and vandalism led by those groups of minors. To do this, it is important to know the legislative framework to which the municipality is subject in matters of juvenile delinquency and public space, and at the international, national and local levels.

In the international framework, the recommendations and mechanisms are oriented towards the prevention of juvenile delinquency. In this sense, they encourage states to seek alternatives to criminal justice and not to stigmatize young people in vulnerable contexts. This reasoning can be found in resolutions such as **Guidelines for the Prevention of Juvenile Delinquency (UNGA RES/45/112) or Resolution 30/07 (2015)**.

At the supranational framework, the European Union has been concerned with prevention measures and extrajudicial remedies to combat juvenile delinquency. **The European Parliament resolution of 21 June 2007 on juvenile delinquency, the role of women, the family and society (2007/2011)** encourages states to seek alternative measures to incarceration as a sanction when dealing with juvenile delinquency.

Focusing on the national level. First of all, the actions described fall under the provisions of the Italian Penal Code. This behaviour, as reported by the Italian authorities, falls within the chapters on crimes against public order and crimes against property. It should be noted that the perpetrators are minors. In some cases their actions will go unpunished when they are under 14 years of age. For this reason, we turn to specific legislation on the subject to help prevent this behaviour among young people. One example of this is the **law n.216, of 19 July, 1991, of first intervention in favour of minors at risk of**

involvement in criminal activities. It authorizes and promotes the implementation of initiatives aimed at protecting and guaranteeing the personal, social and physical development of minors who are at risk of social exclusion.

At the same time, in the case of young people over 14 years and under 18 years, the **Federal juvenile criminal law** provides for a special regime in the event that they have committed criminal acts and a special criminal proceeding under the **Juvenile Criminal Procedure Code**.

In the end, mechanisms should be studied that opt for the integration of minors as well as their families in the case of a marginalized group. Harsh sanctions and imprisonment should be avoided in favour of other measures aimed at the prevention of these actions or a sanction that is beneficial to the community.

Lisbon (Portugal)

6.1. Challenges for the urban security of the municipality

Lisbon has chosen as its main security priority **the topic of public spaces** as the maintenance of public order and security in local communities is one of the main responsibilities of the Lisbon Municipal Government and Police, namely tackling incivilities and promoting safe public spaces. Deviant activities such as vandalism, petty crime or drug use, occur precisely in public spaces. The Lisbon Municipal Police needs to develop and improve partnerships and preventive strategies to mitigate these behaviours. The possible threats concerning the city are:

- **Incivilities (including unruly behaviours and vandalism).** Incivility is a general term for social behaviour lacking in civility or good manners, on a scale from rudeness or lack of respect for elders, to vandalism and hooliganism, through public drunkenness and threatening behaviours. In Portugal, incivilities are frequently led by youngsters and, although juvenile delinquency is the responsibility of the national police (with criminal functions), the Lisbon Municipal Police (without criminal functions) has to face it.
- **Petty crime (related to incivilities).** The concept of ‘petty crime’ includes robberies, simple assaults, jaywalking, public intoxication, disorderly conduct, trespassing, vandalism, reckless driving, or possession of Marijuana. In Lisbon, due to drug use and vandalism, most of these deviant behaviours take place and represent an important threat to public order and security.

Finally, Lisbon has also underlined the necessity of improving police-social workers and health worker cooperation to address **homelessness and drug use in public spaces** and to improve police-urban planners for the **design and planning of safer public spaces**.

6.2. How international and national legal framework applies at the local level

Portugal is a unitary state in which legislative competence belongs exclusively to the state that promulgates laws applicable to the entire national territory. Municipalities can only promulgate ordinances at the local level. Using its competences, the Portuguese government has been in charge of establishing a strong structure to maintain national peace and to protect public order. In fact, Portugal is one of the safest countries in Europe.

The Public Security Police (Policia de Seguranca Pùblica) and the National Republican Guard (Guarda Nacional Republicana) are the two bodies of the National Police in charge of defending democratic legality, guaranteeing internal security and defending the rights of citizens in all Portuguese municipalities, including Lisbon. Both bodies develop important activities and programs with the aim to prevent crime in all of its forms and achieve a balance point in the internal security plan, namely: freedom versus security; and public order versus rights, freedoms and guarantees.

Understanding that people play a central role in the internal security system and that the fight against crime is multifactorial and not just a matter of police effectiveness, the Portuguese security forces have incorporated the Special Proximity Surveillance Programs (PEPP). Through the Proximity Police and the Community Police, the way people see the role of the police has changed and the participation of

citizens in crime prevention actions has also been encouraged. The Special Proximity Surveillance Programs implies a real approach to the community and its involvement in solving its problems. This ability to involve and mobilize citizens to collaborate on the safety of the municipality results in a better and more effective fight against crime. In addition, as a final objective, it pursues the prevention and reduction of criminal activity.

The incorporation of these new forms of public security has resulted in important benefits since its inception at the beginning of the 21st century. Specifically, it has been possible to significantly reduce the main problem that has always concerned the city of Lisbon: drug trafficking and public consumption, as well as violence and the deterioration of spaces derived from it. However, the **Resolution 46/99 of the Council of Ministers of the National Drug Strategy** has also been an important instrument in order to face up to these problems. This resolution has been in force since 2001 and represents an important inspiration for anti-drug policies in other European countries. It decriminalizes drug use in certain cases and radically changes the treatment of drug addicts as they are not considered criminals as they are mentally ill. The aim was to mitigate the negative consequences of drugs as much as possible from an 'informative' perspective directed to improve marginalized areas, medical care and benefits for drug addicts.

The Arroios neighborhood of Lisbon is an example of the success of these improvements. Arroios was considered one of the most conflictive areas of the city where drugs, prostitution and petty crime were concentrated. Nowadays it is considered a young and intercultural neighborhood with a reduced crime rate. However, the funding and resources allocated to this program have not been entirely abundant and although crime related to drug use has decreased notably, the use of such substances in public spaces has not.

Faced with this situation, Lisbon has focused on the need to prevent and fight against incivilities, petty crime, homelessness and drug use in public spaces. In order to achieve this, it is essential to know the legislative framework by which the municipality is subject to matters of public spaces and crime activity related to drug use, both at the international, national and local levels.

In the international framework, there are instruments and tools related to public safety and urban crime prevention, such as **the United Nations Resolution 51/60 about Declaration on Crime and Public Safety and the Resolution 1995/9 about Guidelines for cooperation and technical assistance in the field of urban crime prevention**. These documents contain the need for cooperation with the localities in the fight against phenomena such as drug trafficking. In addition, crime prevention should go hand in hand with an integrated action plan. Proper planning would help effective prevention and promote community safety.

Of great interest for Lisbon are the guidelines recently, in 2020, pointed out by the United Nations in its **System-Wide Guidelines on Safer Cities and Human Settlements**. It points out the importance of national support through cooperation and technical assistance to local governments in the field of urban security.

However, despite the concern of local government agents for problems caused on urban roads, there is little legislation in force to solve them. It is true that in terms of petty crime and urban safety, we find tools that localities can apply, like the **Opinion of the European Economic and Social Committee on 'Urban areas and youth violence' (2009/C 317/06)**.

But there is a legislative vacuum on the problem that the agents have pointed out as the main problem: drug consumption and trafficking. In the study we were only able to find a brief reference to **Regional Legislative Decree 28/2012 / M approving regulations for the protection of citizens and measures to reduce the supply of "legal drugs"**, which attempts to prevent consumption in public places by making private sites available, although without success.

The main problem with Lisbon is the lack of implementation of strategic plans for the prevention of these actions. It is true that, despite being one of the main concerns, it does not have a wide-ranging specific regulatory development on the matter. Nevertheless, these first legislative steps in recent years may bring about change in the medium term, provided they are backed up by local implementation.

Conclusions

IcARUS has aimed to work together with LEAs and municipalities (Nice, Rotterdam, Riga, Turin and Lisbon) to study the different legal tools and challenges to prevent conflict and negative uses of public space. Stuttgart's area of concern is terrorism and radicalisation due to reports of insecurity and permanent threat.

Nice is concerned about safety in public spaces.

Nice indicated that its specific areas of concern were mass gatherings and crowds, incivilities (including unruly behaviours and vandalism) and increased aggressions against law enforcement officers. As indicated previously, the French Constitution and Criminal Code ascertain that antisocial and criminal behaviours in public spaces are punishable, and there are different penalties associated with any conduct that endangers any individual regardless of the place (public spaces) or time when they occur. Public space challenges feature on the agenda of the French government and this has given rise, as stated above, to a series of legislative and regulatory texts highlighted in the international and national legal frameworks sections.

Rotterdam is concerned about safety in public spaces and its municipality aims to establish instruments and policies in order to prevent violent demonstrations, incivilities, and criminal activity in the online world. The Dutch criminal law instruments regulate violent behaviours that take place in the context of public space. As indicated in the analysis of how national and international legal frameworks apply at the local level, Rotterdam is an example of how its central issues are the repression of incivilities and the fight against crime and how the urban security governance is currently focused on street crime, pointing to a turn towards more punitive policies. From our study it seems that Rotterdam embraces the idea of administrative orders providing Mayors with an instrument to sanction infringements on municipal code of prohibitions of certain behaviours and offences.

Riga is concerned about public order and public security in public spaces and is interested mainly in prevention of violent demonstrations, mass gatherings and crowds, incivilities, aggression against law enforcement and protection of public spaces against modern technologies. It should be noted that Latvia is one of the European countries that has given the most serious attention to both human security ideas and the SDGs agenda and has developed strong emphasis on supporting human resilience. This study has shown that Latvia has many law enforcement agencies that aim to guarantee

the safety of individuals and society, prevention of criminal offences, assistance to individuals, institutions and organisations in the protection of their rights and duties.

Stuttgart is concerned about radicalisation and terrorism in relation to urban security. In particular, Stuttgart officers expressed their concerns about religious radicalisation, hate speech or discrimination towards certain groups. Indeed, German international, supranational and national tools and legislation have further developed comprehensive legislation on this topic. In particular, they have recently focused on the problems that hate speech is causing for citizens. The rise of right-wing extremism in Germany has raised awareness and concern among legislators and state authorities.

Turin is concerned about juvenile delinquency and crimes in public spaces committed by young people. The Italian authorities have a specific interest in the phenomenon of the "Baby Gang", groups of minors who commit petty property crime, vandalism and incivilities among others. Through this study we have found that the tools to be applied for urban security in this context should be oriented towards prevention and reintegration of delinquency by young people and not towards harsh punishment. Although at the national and international level there are tools and laws that favour the integration of young people who are in a situation of exclusion, at the local level there are no prevention plans that have an impact on this point.

Lisbon is concerned about crime committed in public spaces, in particular officials are interested in eradicating the problem of drug use on the streets. Most of the international and supranational legislation on the subject is directly related to drug trafficking itself. At the national level, there is hardly any extensive legislative development to alleviate this problem. Moreover, the little legislation that does exist is not enforced by local authorities. It would therefore be interesting to consider new legislative and implementation tools to combat this problem.

Throughout this study, it has been demonstrated that in the different topics that have been addressed, there are tools, mechanisms and legislation specific to each area. State agents in the cities investigated have been able to identify these problems in most cases, as they do not have an absolute legislative vacuum.

However, the problem that can be seen in most cases is the lack of initiative to implement legal recommendations or indications at the local level. The national power should follow up and reinforce local authorities to implement action and prevention plans for crimes of concern to the actors.

INSTRUMENT	ACCESS LINK
Recommendation (87)20 of the Committee of Ministers to Member States On Social Reactions to Juvenile Delinquency	https://rm.coe.int/168070ce24
Recommendation (2003)20 of the Committee of Ministers to Member States Concerning New Ways of Dealing With Juvenile Delinquency and the Role of Juvenile Justice	https://rm.coe.int/168070ce24
Recommendation (2008)11 of the Committee of Ministers to Member States on the European Rules for Juvenile Offenders Subject to Sanctions or Measures	https://www.refworld.org/pdfid/4a7058c02.pdf
Guidelines of the Committee of Ministers of the Council of Europe on child friendly justice	https://rm.coe.int/16804b2cf3
MJU-28 (2007) Resol.2 on child-friendly justice, adopted by the 28th Conference of the European Ministers of Justice	https://rm.coe.int/1680694596
Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice	https://rm.coe.int/16804b2cf3
European Convention on Human Rights	https://rm.coe.int/16804b2cf3
Directive 2013/48/EU on the rightaccess to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third part informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty	https://www.echr.coe.int/Documents/Convention_ENG.pdf
EU Proposal for a Directive on Procedural Safeguards for Children suspected or accused in criminal proceedings	https://eur-lex.europa.eu/eli/dir/2013/48/oj
Opinion of the European Economic and Social Committee on The prevention of juvenile delinquency. Ways of dealing with juvenile delinquency and the role of the juvenile justice system in the European Union (2006/C 110/13)	https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52013PC0822&from=EN
Opinion of the European Economic and Social Committee on 'Cooperation with civil society to prevent the radicalisation of young people' (2018/c 129/03)	https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017IE2650&rid=3
European Parliament resolution of 21 June 2007 on juvenile delinquency, the role of women, the family and society (2007/2011(INI))	https://eur-lex.europa.eu/legal-content/HR/TXT/?uri=CELEX:52007IP0283
Geneva Declaration of the Right of the Child	http://www.un-documents.net/gdrc1924.htm

ANNEX I. Summary of reviewed regulation frameworks

ECOSOC Resolution 663 C (XXIV): Standard Minimum Rules for the Treatment of Prisoners	https://www.refworld.org/docid/514daf202.html
Declaration of the Rights of the Child (UNGA RES/14/1386)	https://undocs.org/en/A/RES/1386(XIV)
International Covenant on Civil and Political Rights (UNGA RES 2200A (XXI))	https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx
ECOSOC Resolution 2076 (LXII): Standard Minimum Rules for the Treatment of Prisoners	https://www.refworld.org/docid/514daf202.html
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	https://www.ohchr.org/en/professionalinterest/pages/cat.aspx
Standard Minimum Rules for the Administration of Juvenile Justice (UNGA RES/40/33)	https://www.ohchr.org/documents/professionalinterest/beijingrules.pdf
Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (UNGA RES/43/173)	https://www.ohchr.org/EN/ProfessionalInterest/Pages/DetentionOrImprisonment.aspx
Convention on the Rights of the Child (UNGA RES/44/25)	https://www.ohchr.org/en/professionalinterest/pages/crc.aspx
Basic Principles for the Treatment of Prisoners (UNGA RES/45/111)	https://www.ohchr.org/en/professionalinterest/pages/basicprinciplestreatmentofprisoners.aspx
Standard Minimum Rules for Non-Custodial Measures (UNGA RES/45/110)	https://www.ohchr.org/documents/professionalinterest/tokyorules.pdf
Guidelines for the Prevention of Juvenile Delinquency (UNGA RES/45/112)	https://www.ohchr.org/en/ProfessionalInterest/Pages/PreventionOfJuvenileDelinquency.aspx
Rules for the Protection of Juveniles Deprived of their Liberty (UNGA RES/45/113)	https://www2.ohchr.org/english/law/pdf/res45_113.pdf
CCPR General Comment N°21: Article 10 (UN Doc HRI/GEN/1/Rev.1)	https://www.refworld.org/docid/453883fb11.html
ECOSOC Resolution 1997/30: Administration of Juvenile Justice	https://www.unodc.org/documents/commissions/CCPCJ/Crime_Resolutions/1990-1999/1997/ECOSOC/Resolution_1997-30.pdf
Committee on the Rights of the Child General Comment N°10 (UN Doc CRC/C/GC/10)	https://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.10.pdf
Optional Protocol to the Convention on the Rights of the Child (UNGA RES/66/138)	https://www.ohchr.org/en/professionalinterest/pages/opicccr.aspx
Concluding Observations on the Second Periodic Report of Malta (CCPR/C/MLT/CO/2)	https://www.ecoi.net/en/file/local/1141395/1930_1420643552_g1422567.pdf
Resolution 30/07 from the General Assembly	http://www.kekidatabank.be/docs/Instrumenten/RvE/1987%20CMRec(87)20_on%20social%20reactions%20to%20juvenile%20delinquency.pdf
Resolution 42/11 from the General Assembly	https://documents-dds-ny.un.org/doc/UNDOC/LTD/G19/280/35/PDF/G1928035.pdf?OpenElement
Resolution 36/13 from the General Assembly	https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52006IE0414:EN:HTML

Table 8. Juvenile Delinquency Instruments

Table 9. Trafficking Instruments

INSTRUMENT	ACCESS LINK
United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances	https://www.refworld.org/docid/49997af90.html
United Nations Convention against Transnational Organized Crime	https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf
Resolution 2370 (2017) from the United Nations Security Council	https://undocs.org/pdf?symbol=en/s/res/2370(2017)
Resolution 2395 (2017) from the United Nations Security Council	https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2395%20(2017)&referer=http://www.un.org/en/documents/index.html&Lang=E
Resolution 64/293 from the United Nations General Assembly	https://undocs.org/A/RES/64/293
Resolution 69/149 from the United Nations General Assembly	https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_69_149.pdf
Resolution 70/179 from the United Nations General Assembly	https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_70_179.pdf
Resolution 59/156 from the United Nations General Assembly	https://www.unodc.org/documents/commissions/CCPCJ/Crime_Resolutions/2000-2009/2005/General_Assembly/A-RES-59-156.pdf
Resolution 52/92 from the United Nations General Assembly	https://www.unodc.org/unodc/en/Resolutions/resolution_1997-12-12_1.html
Resolution 2888 from the United Nations Security Council	https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2388%282017%29



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<p>Protocol against the Illicit Manufacturing of an Firearms, Their Parts and Components and supplementing the United Nations Convention against Organized Crime</p>	<p>https://www.unodc.org/documents/treaties/Special/2001%20Protocol%20against%20the%20Illicit%20Manufacturing%20of%20and%20Trafficking%20in%20Firearms.pdf</p>
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<p>Directive 2014/42/EU on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union</p>	<p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0036&from=ES</p>
<p>Third report from EU Commission on the progress made in the fight against trafficking in human beings</p>	<p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0661&from=EN</p>
<p>Framework Decision 2004/757 / JHA of the European Council on the establishment of minimum provisions of the constituent elements of crimes and applicable penalties in the field of illicit drug trafficking</p>	<p>https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32004F0757</p>
<p>Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197, 2005)</p>	<p>https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008371d</p>
<p>Prostitution – which stance to take? (Parliamentary Assembly Resolution 1579)</p>	<p>https://pace.coe.int/en/files/17590/html</p>
<p>Prostitution, trafficking and modern slavery in Europe (Parliamentary Assembly resolution 1983)</p>	<p>https://pace.coe.int/pdf/668a000f057b737af29e3c447f5ea67067d72c043326667a8259ffe25682ae848428feba12/resolution%201983.pdf</p>
<p>Action against trafficking in human beings: promoting the Council of Europe convention (Parliamentary Assembly Resolution 1702)</p>	<p>https://pace.coe.int/en/files/17801/html</p>
<p>Trafficking of migrant workers for forced labour (Parliamentary Assembly Resolution 19232)</p>	<p>https://pace.coe.int/en/files/19480/html</p>
<p>Threat to Europe from economic crime (Parliamentary Assembly Resolution 1147)</p>	<p>https://pace.coe.int/en/files/16587/html</p>
<p>Arms sales and human rights (Parliamentary Assembly Resolution 928)</p>	<p>https://pace.coe.int/en/files/16339/html</p>

The need for greater transparency in the arms trade (Parliamentary Assembly Resolution 1524)

<https://pace.coe.int/en/files/17486/html>

Table 10. Public Spaces Instruments

INSTRUMENT	ACCESS LINK
United Nation Security Council Resolution 2553	https://undocs.org/en/S/RES/2553(2020)
System-Wide Guidelines on Safer Cities and Human Settlements	https://unhabitat.org/sites/default/files/2020/03/un_systemwide_guidelines_on_safer_cities_and_human_settlements.pdf
Guidelines for cooperation and technical assistance in the field of urban crime prevention	https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution_1995_9.pdf
Guidelines for crime prevention	https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution_2002-13.pdf
Opinion of the Committee of the Regions on 'Crime and Safety in Cities' (2000/C 57/15)	https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:51999IR0294&from=ES
Opinion of the European Economic and Social Committee on 'Urban areas and youth violence' (2009/C 317/06)	https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52009IE1206&gid=1616754298678&from=ES
European Code of Social Security	https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168006b65e
'Future of social security in Europe' Parliamentary Assembly Recommendation 1661	https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805b003d
'Improving user protection and security in cyberspace' Parliamentary Assembly Recommendation 2041 2014	https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c45a9
'Urban security in Europe' Recommendation 197 of the Congress of Local and Regional Authorities of the Council of Europe	https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805b65f1
Security and crime prevention in cities: setting up a European observatory' Parliamentary Assembly Recommendation 1531	https://pace.coe.int/en/files/16937/html
Recommendation N.8 R (83) 7 of the Committee of Ministers to Member States on participation of the public in crime policy	https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f0ad6



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Table 11. Radicalisation and Terrorism Instruments

INSTRUMENT	ACCESS LINK
Resolution 2462 (2019) from the United Nations Security Council	https://undocs.org/S/RES/2462(2019)
Resolution 2482 (2019) from the United Nations Security Council	https://undocs.org/S/RES/2482(2019)
Resolution 2396 (2017) from the United Nations Security Council	https://undocs.org/S/RES/2396(2017)
Resolution 2368 (2017) from the United Nations Security Council	https://undocs.org/S/RES/2368(2017)
Resolution 2341 (2017) from the United Nations Security Council	https://undocs.org/S/RES/2341(2017)
Resolution 2253 (2015) from the United Nations Security Council	https://undocs.org/S/RES/2253(2015)
Resolution 1624 (2005) from the United Nations Security Council	https://undocs.org/sp/S/RES/1624(2005)
Resolution 70/291 (2016) from the United Nations General Assembly	https://undocs.org/es/A/RES/70/291
United Nations Global Counter-Terrorism Coordination Compact	https://www.un.org/counterterrorism/global-ct-compact
International Covenant on Civil and Political Rights	https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx
Guidelines on the Protection of Victims of Terrorist Acts	https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805dabe5
Action plan to combat violent extremism and radicalization leading to terrorism	https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c3576
OSCE Consolidated Framework for the fight against terrorism	https://www.osce.org/files/f/documents/7/5/98008.pdf
Resolution 2018/C 415/04 from the ACP-UE Joint Parliamentary Assembly	https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2018:415:FULL&from=EN
International Convention for the Suppression of the Financing of Terrorism	https://www.un.org/law/cod/finterr.htm
Directive 2017/541/EU on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA	https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017L0541&from=ES
"Revised EU Strategy for Combating Radicalisation and Recruitment to Terrorism (2014)	https://data.consilium.europa.eu/doc/document/ST-9956-2014-INIT/en/pdf
European Parliament resolution 2015/2063(INI) on the prevention of radicalisation and recruitment of European citizens by terrorist organisations.	https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015IP0410&from=EN

Table 12. Nice Instruments

INSTRUMENT	ACCESS LINK
Declaration of the Rights of Man and of the Citizen of 1789	https://www.legifrance.gouv.fr/loda/id/JORFTEXT00000697056/?isSuggest=true
Law of 30th of June on freedom of assembly	https://n9.cl/r29hi
Decree-law of 23rd October 1935 regulating measures relating to the strengthening of the maintenance of public order	https://n9.cl/7ewwg
Constitution	https://www.legifrance.gouv.fr/loda/id/JORFTEXT00000571356/?isSuggest=true
Law n° 78-17 of 6th of January 1978 relating to data processing, files and freedoms	https://n9.cl/0bfb
Criminal Code	https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006070719/
Defense Code	https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006071307/?isSuggest=true
Law n° 2010-1192 of 11th October 2010 prohibiting the concealment of the face in public space International Security Code	https://n9.cl/wh2a6
Internal Security Code	https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000025503132/?isSuggest=true
Law n° 2016-339 of 22nd March 2016 relating to the prevention and fight against incivility, against attacks on public security and against terrorist acts in collective passenger transport	https://n9.cl/99wvk
Law n° 2019-290 of 10th April 2019 aimed at strengthening and guaranteeing the maintenance of public order during demonstrations	https://n9.cl/ofc9t
Law n° 2020-766 of 24th June 2020 aimed at combating hate content on the internet	https://n9.cl/6kxg1
Law n° 2006-396 of 31st March 2006 for equal opportunities	https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000268539/?isSuggest=true
Law n° 2007-297 of 5 March 2007 on the prevention of delinquency	https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000615568/?isSuggest=true
Law n° 2010-201 of 2 March 2010 on strengthening the fight against group violence and protecting persons performing a public service.	https://www.legifrance.gouv.fr/loda/id/JORFTEXT000021897659/?isSuggest=true
Law n° 2002-1138 of 9 September 2002 for the Organization and Planning of Justice	https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000775140/?isSuggest=true
Law n° 2021-646 of 25th May 2021 for comprehensive security preserving freedoms	https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000043530276/

Table 13. Rotterdam Instruments

INSTRUMENT	ACCESS LINK
Constitution	https://www.legislationline.org/documents/section/constitutions/country/12/Netherlands/show
Criminal Code	https://wetten.overheid.nl/BWBR0001854/2018-05-01
Law of Municipalities	https://wetten.overheid.nl/BWBR0039275/2017-07-01#search_highlight0
Law of December 20, 2007, which modifies the Law on administrative fine for nuisance in public space	https://wetten.overheid.nl/BWBR0023480/2009-01-14
Law of February 11, 2017 on Temporary Administrative Measures to Combat Terrorism	https://wetten.overheid.nl/BWBR0039210/2017-03-01
Rules of conduct for the use of email, internet, mobile communication and social networks	http://decentrale.regelgeving.overheid.nl/cvdr/XHTMLoutput/Historie/Zuid-Holland/444955/CVDR444955_1.html
Law of 27 June 2018, partially prohibiting the use of clothing that covers the face in public spaces	https://wetten.overheid.nl/BWBR0041161/2019-08-01#search_highlight0
Law on Public Manifestations	https://wetten.overheid.nl/BWBR0004318/2010-10-10
Famous criminal lawyer opinion related to the Law on Public Manifestations	https://pure.uva.nl/ws/files/2183248/28486_Ferdinandusse_strafbaarheid.pdf
More specific information about public order and security in NL	https://www.politie.nl/ https://wetten.overheid.nl/BWBR0007982/2021-02-22 https://www.openbareorde.nl/tijdschrift/coronacrisis-en-het-recht-deel-4/
More general information on law and vandalism	https://www.politie.nl/themas/vandalisme.html https://www.wetrecht.nl/vernieling/
Specific information about the Law on Football vandalism	https://wetten.overheid.nl/BWBR0042057/2019-04-01 https://hetccv.nl/onderwerpen/wet-bestrijding-voetbalvandalisme-en-overlast/ https://vng.nl/nieuws/wet-mbveo-meer-dan-voetbalwet-vernieuwd-dossier-ccv https://www.burgemeesters.nl/sites/www.burgemeesters.nl/files/File/voetbalwet.pdf
Information about the mayor's capabilities to act against certain problems regarding public order	https://hetccv.nl/ https://www.burgemeesters.nl/bevoegdheden/bevelenoverlast

Table 14. Riga Instruments

INSTRUMENT	ACCESS LINK
Constitution	https://likumi.lv/ta/id/57980-latvijas-republikas-satversme
Criminal Code	https://likumi.lv/ta/id/88966-kriminallikums
Law of January 16, 1997 on meetings, marches and pickets	https://likumi.lv/ta/id/42090-par-sapulcem-gajieniem-un-piketiem
Law of October 31, 2002 on the application of educational coercive measures to children	https://likumi.lv/ta/id/68489-par-audzinosu-rakstura-piespiedu-lidzeklu-piemerosanu-berniem
Law of June 16, 2005 on Security of Public Entertainment and Holiday Events	https://likumi.lv/ta/id/111963-publisku-izklaides-un-svetku-pasakumu-drosibas-likums
Law on the application of coercive measures of an educational nature to children	https://likumi.lv/ta/id/68489-par-audzinosu-rakstura-piespiedu-lidzeklu-piemerosanu-berniem
Binding Regulation No. 80 of June 17, 2007 on Public Order Rules of Riga	https://likumi.lv/ta/id/160837-sabiedriskas-kartibas-noteikumi-riga

Table 15. Stuttgart Instruments

INSTRUMENT	ACCESS LINK
Constitution	https://web.archive.org/web/20120106020958/http://www.bundestag.de/dokumente/rechtsgrundlagen/grundgesetz/gg.html
Criminal Code	https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p0161
Legislative package against hate crime	https://dip21.bundestag.de/dip21/btd/19/177/1917741.pdf
Strategy for prevention of extremism and democracy promotion of the federal government	https://www.bmfsfj.de/blob/jump/109002/strategie-der-bundesregierung-zur-extremismuspraeventionund-demokratiefoerderung-data.pdf
Law of Fight against International Terrorism	https://n9.cl/s8tcn
Antiterrorist File Law	https://www.legislationline.org/documents/id/22105
Order on the designation and establishment of the Euro-just national contact point for terrorism issues	https://n9.cl/b375r
Law of Anti-terrorist Activities and amendments to other acts	https://n9.cl/b9zoe
General Law of Equal Treatment or Anti-Discrimination Law	http://www.gesetze-im-internet.de/agg/AGG.pdf

Table 16. Turin Instruments

INSTRUMENT	ACCESS LINK
Constitution	https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:costituzione
Criminal Code	https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:regio.decreto:1930-10-19;1398
Law n° 125 of urgent measures on public security.	https://n9.cl/qa7c
Law n° 94 of provision on public safety.	https://n9.cl/vp8qf
Law n° 216 of first interventions in favor of minors at risk of involvement in criminal activities	https://n9.cl/crx58
Juvenil Criminal Procedure Code	https://www.fedlex.admin.ch/eli/cc/2010/226/it
Federal juvenile criminal law	https://www.fedlex.admin.ch/eli/cc/2006/551/it
Regional Law n° 2, of 5 February 2018, of Provisions on the prevention and contrast of bullying and cyberbullying	https://www.gazzettaufficiale.it/eli/id/2018/09/15/18R00134/s3

Table 17. Lisbon Instruments

INSTRUMENT	ACCESS LINK
Constitution	https://dre.pt/web/guest/legislacao-consolidada/-/lc/34520775/view
Criminal Code	https://dre.pt/legislacao-consolidada/-/lc/107981223/201708230100/indice
Decree-Law 15/93 establishing the Drug Law	https://dre.pt/web/guest/legislacao-consolidada/-/lc/view?cid=155881893
Law 30/2000 on the legal regime applicable to the consumption of narcotic drugs and psychotropic substances, as well as to the health and social protection of people who consume said substances without a medical prescription	https://dre.pt/web/guest/legislacao-consolidada/-/lc/34545875/view?lcq=droga
Law 53/2008 of National Security	https://dre.pt/web/guest/legislacao-consolidada/-/lc/120267075/202105031054/73679395/diploma/indice
Regional Legislative Decree 28/2012 / M approving regulations for the protection of citizens and measures to reduce the supply of "legal drugs"	https://dre.pt/web/guest/legislacao-consolidada/-/lc/115917097/view?lcq=droga
Law 61/2013 of the regulation of graffitis, perforations and other forms of alteration on buildings, sidewalks, walls and other infrastructures	https://n9.cl/ydtkc



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ANNEX II. Questionnaire to find out the demands of the cities participating in IcARUS

Identification of the regulatory framework of IcARUS' municipalities

***Required**

WORK PACKAGE 6 "Ethical, Legal & Privacy Aspects" of IcARUS EU H2020 project.

Task 6.1."Design and legal adjustment of IcARUS" (M1 M12)

PARTNER LEADING ACTIVITY AND COLLECTING CONSENT: PLUSETHICS

Why have I been approached?

In order to draft deliverable 6.1. (M12) for which PLUSETHICS is responsible, there is a need for partner cities to contribute to better outline their needs related to urban safety. The aim is to identify the regulatory framework that will be the subject of study in D6.1 in a coherent way according to these needs.

Right to withdraw and to data protection.

You do not have to take part in this research if you do not want to. Likewise, you may change your mind about your participation later on and withdraw after taking part in the questionnaire.

What will I be asked to do if I take part in this research activity?

If you decide to take part, you will be asked to answer few questions regarding urban safety in your city. The questionnaire can be filled in by the research team of the partner city or individually by a single city representative.

What will happen to the results?

The research results will be confidential and only accessible to other project partners and the EU Commission Services. However, project partners may use project results in specialised publications. In no case will these materials include information that could identify you or your opinions. Anonymised direct quotations from your contributions may be used in these reports and publications, but your name or other directly-identifying information will not be included.

1. *** Mark only one oval.**

- I consent to my participation

PRIVACY AND DATA PROTECTION INFORMATION

Accountable: Ethical & Legal Plus, S.L.

VAT: B42592105

Contact: Avda. de la Universidad, s/n, Quorum IV 03202 Elche (Alicante), Spain

Legitimation: The consent of the interested party

Purpose: Task 6.1. of the IcARUS project (Innovative Approaches to Urban Security, EU Grant Agreement 882749).

Recipients: The data will not be given on to third parties.

Rights: Access, rectification, deletion, limitation, portability and opposition.

Additional Information: To request more information about the Treatment of Confidential and Personal Data you can contact us at: info@pluethics.com

2. * *Mark only one oval.*

- I authorize the treatment of the data provided in this form

IcARUS PRIORITY AREAS

Following some of the discussions held in previous meetings on the scope of IcARUS, and more specifically of WP 2-4, the different municipalities stated that they wanted to focus mainly on one priority area (Juvenile delinquency, public spaces, terrorism and radicalisation and trafficking and organised crime).

We appreciate if each partner municipality could address some aspect of the area that most interests you to help us better shape the legal scope of T6.1 according to the urban safety needs you have identified in your municipality.

3. Which municipality do you represent? * *Mark only one oval.*

- STATE CAPITAL OF STUTTGART
 MUNICIPALITY OF ROTTERDAM
 COMMUNE OF NICE
 COMMUNE OF TORINO
 CAMARA MUNICIPAL DE LISBOA
 RIGAS PASVALDIBAS POLICIJA

4. Out of the following four priorities of the IcARUS project, please indicate which one is the priority for your municipality. * *Mark only one oval.*

Due to its cross-cutting nature, "juvenile delinquency" has been included as an additional and optional section in the topics below.

- Public spaces *Skip to question 5*
 Terrorism and radicalisation *Skip to question 10*
 Trafficking and organised crime *Skip to question 15*

You will be redirected to the corresponding section depending on the area you select.

Below, you will find the dimensions included in each of the areas so that you can carefully choose the one that best suits your needs.

1. Public spaces:

- Petty crime
- Violent demonstrations Mass gatherings (crowds)
- Incivilities - unruly behaviours (vandalism)
- Increasing aggression against law enforcement or other public guardians

2. Terrorism and radicalisation:

- Religious radicalisation
- Radicalisation of right-wing extremist groups Discrimination of left-wing extremist groups
- Discrimination against groups based on race or religious belief in the city Hate speech towards certain groups in the city
- Terrorist attack

3. Trafficking and organised crime:

- Human trafficking
- Weapon trafficking
- Drug trafficking
- Organised crime

PUBLIC SPACES

Below you will find different dimensions related to the area "Public Spaces".

5. Please, considering the current situation of your municipality in this area, indicate which dimensions pose a challenge for the urban security of your municipality. *

Tick all that apply.

- Petty crime
- Violent demonstrations
- Mass gatherings (crowds)
- Incivilities - unruly behaviours (vandalism)
- Increasing aggression against law enforcement or other public guardians
- Not applicable to any of the above

6. Please describe any other challenges related to public spaces for urban safety in your municipality that are of interest to your institution and that have not been included in the previous item.

200 words max.

7. If there is particular national law that we should look at, please indicate which legislation and regulations are of importance.
300 words max.
8. Please explain to what extent the dimensions you have selected, if applicable, are related to issues with juvenile delinquency, both from the perspective of young offenders and young victims.
500 words max.
9. Justify the choice of "public space" as a priority area and particular dimensions selected for your municipality. *
500 words max.

Skip to question 20

TERRORISM AND RADICALISATION

Below you will find different dimensions related to the area "Terrorism and Radicalisation".

10. Please, considering the current situation of your municipality in this area, indicate which dimensions pose a challenge for the urban security of your municipality. *
Tick all that apply
 - Religious radicalisation
 - Radicalisation of right-wing extremist groups
 - Discrimination of left-wing extremist groups
 - Discrimination against groups based on race or religious belief in the city
 - Hate speech towards certain groups in the city
 - Terrorist attack
 - Not applicable to any of the above
11. Please describe any other challenges related to terrorism and radicalisation in your municipality that are of interest to your institution and that have not been included in the previous item.
200 words max.
12. If there is particular national law that we should look at, please indicate which legislation and regulations are of importance.
300 words max.
13. Please explain to what extent the dimensions you have selected, if applicable, are related to issues with juvenile delinquency, both from the perspective of young offenders and young victims.
500 words max.

14. Justify the choice of "terrorism and radicalisation" as a priority area and particular dimensions selected for your municipality. *
- 500 words max.

Skip to question 20

TRAFFICKING AND ORGANISED CRIME

Below you will find different dimensions related to the area "Trafficking and Organised Crime".

15. Please, considering the current situation of your municipality in this area, indicate which dimensions pose a challenge for the urban security of your municipality. *

Tick all that apply.

- Human trafficking
- Weapon trafficking
- Drug trafficking
- Organised crime
- Not applicable to any of the above

16. Please describe any other challenges related to trafficking and organised crime in your municipality that are of interest to your institution and that have not been included in the previous item.
- 200 words max.

17. If there is particular national law that we should look at, please indicate which legislation and regulations are of importance.
- 300 words max.

18. Please explain to what extent the dimensions you have selected, if applicable, are related to issues with juvenile delinquency, both from the perspective of young offenders and young victims.
- 500 words max.

19. Justify the choice of "trafficking and organised crime" as a priority area and particular dimensions selected for your municipality. *
- 500 words max.

Skip to question 20

20. Please indicate an e-mail address where we can contact you if more information is required. *

21. Do you have any further comments concerning the topics addressed in the questionnaire?



CONSORTIUM



European Forum for Urban Security (Efus)



FH Salzburg

Fachhochschule Salzburg (FHS) Salzburg University of Applied Sciences



Plus Ethics



Erasmus University Rotterdam (EUR)



Laboratory of Urban Criminology / Panteion University of Social and Political Sciences (Panteion)



University of Salford



University of Leeds



Landeshauptstadt Stuttgart Municipality of Stuttgart



Riga Municipal Police (RMP)



City of Rotterdam



City of Nice



Lisbon Municipal Police / Lisbon Municipality (LMP/CML)



Local Police of Turin (PLTO)



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