COMMITTEE ON SAFETY AND SECURITY AT SPORTS EVENTS (T-S4)

COUNCIL OF EUROPE CONVENTION ON AN INTEGRATED SAFETY, SECURITY AND SERVICE APPROACH AT FOOTBALL MATCHES AND OTHER SPORTS EVENTS



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Showcasing the Saint-Denis Convention (CETS No. 218)

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Introduction

Welcome to the Committee on Safety and Security at Sports Events (or T-S4 Committee), of the Saint-Denis Convention!

The objective of this document is to help delegates, observers and other participants in the Committee's work to better understand the normative and institutional framework in which the Saint-Denis Convention and its Committee on Safety and Security at Sports Events (hereinafter referred to as "the T-S4 Committee") operate, including by briefly introducing the Council of Europe structure and working methods. The document also provides links to key documents and websites where you can find further information.

1. About the Council of Europe

The <u>Council of Europe (CoE)</u> is the European continent's leading human rights organisation. This intergovernmental organisation comprises 46 member States, including all the 27 European Union (EU) members. It was set up in 1949, in the wake of the Second World War, to ensure the political reconstruction of Europe based on a set of fundamental values, the loss of which had brought the continent to its knees: human rights, democracy and the rule of law.

The CoE uses four main tools to accomplish its mission:

- 1. **It sets legal standards**. These can take different forms, ranging from legally binding treaties (such as the Saint-Denis Convention) to the so-called "soft law", which are mostly recommendations (for instance the recommendation Rec (2021)1) that, although not legally binding for States, can be extremely effective in shaping their legislation, policies and practices.
- 2. **It monitors the implementation of standards by States Parties to the Conventions**. There are different kinds of monitoring bodies and they operate in different ways, to ensure that parties comply with their commitments.
- 3. Through technical cooperation projects (for example, the previous EU-CoE joint project «PROS4+ - Promoting and Strengthening the Council of Europe Standards on Safety, Security and Service at Football Matches and Other Sports Events», the "Qatar 2022" project and the current EU-CoE joint projects «Combatting Hate Speech in Sport» and «Balance S4 -Strengthening the Safety and Service pillars of the Saint-Denis Convention», member States (and even non-member States) are helped to implement agreed standards. By engaging with individual or a group of countries, the CoE provides the technical assistance needed to progress concretely towards the needed changes in legal, regulatory or administrative frameworks, policies or practices at national level. Currently, and between early 2022 and the end of 2023, the CoE Sport Division is implementing the EU-CoE joint project «Combating hate speech in sport», which aims to provide technical assistance to Member States' public authorities and sport stakeholders to develop comprehensive national strategies to prevent and tackle racism, homophobia. sexism and other manifestations of sport-related (#SportSpreadsRespect).
- 4. Through international cooperation initiatives, it works in partnership with other international State or non-State organisations (namely UN, EU, OAS, INTERPOL, FIFA, UEFA, CAF, supporter, athlete, referee and press organisations), to work together in the implementation of harmonised standards across Europe and beyond.
- The T-S4 Committee is the monitoring body of the Saint-Denis Convention. Through its work, it can also be called to set standards in the fields covered by the Convention and to support the provision of technical assistance to States to promote the implementation of the Convention. ProS4+ and Qatar 2022 were, until 31 March 2021, two of the CoE cooperation projects. Joint

projects «Combating Hate Speech in Sport» and «Balance S4 – Strengthening the Safety and Service pillars of the Saint-Denis Convention», are the current ones.

1.1 The Council of Europe's architecture in brief

A number of institutions and bodies are responsible for the functioning of the CoE, each one playing a vital role:

- The <u>Committee of Ministers (CM)</u> is the CoE's decision-making body and comprises the foreign ministers of all the member States. It decides the Organisation's policy and approves its budget and programme of activities. It works through their diplomatic representatives in Strasbourg.
- It is a good practice for national delegates in Committees to maintain contacts with the permanent representation of their country in Strasbourg, in particular when important matters are discussed in their Committees or when coordination of national authorities is needed.
- The T-S4 Committee advises the CM in a number of matters (for instance on proposals for amendments to the Convention or requests by non-CoE States to join the Convention).
- <u>Steering Committees or Ad-Hoc Committees</u> are intergovernmental bodies that work under the CM' supervision. The CoE intergovernmental anti-discrimination Committee is amongst the Committees that deal with topics of interest for the Saint-Denis Convention.
- ➤ Representatives of some CoE bodies or Committees may participate on a regular or an ad-hoc basis in the work of the T-S4 Committee, as they may work on issues that are of particular interest for the Committee.
- ➤ It is a good practice to hold exchanges of views with those working on issues that may impact the/be of interest for the T-S4 Committee's work (and vice versa).
- The <u>Parliamentary Assembly (PACE)</u> is made up of elected representatives from the 46 national parliaments. It is a forum for debates and proposals concerning pan-European social and political affairs. PACE is at the origin of many important developments, including the negotiation of treaties. It also triggers positive changes at national level.
- ➤ PACE has often touched upon sport and sport-related matters and has a representative participating in the work of the Committee, e.g. it was consulted in 2015 when the St Denis convention was drafted and gave a positive opinion to the Committee of Ministers on the elaboration of a new convention.
- The Assembly has consistently supported several topics covered by the Saint-Denis Convention and advocated for effective measures to prevent violence and all types of discrimination in sport, as well to promote an integrated and multiagency safety, security and service approach at sports events.
- The <u>Congress of Local and Regional Authorities</u> is tasked with building local and regional democracy in the 46 member States. Consisting of two chambers – the Chamber of Local Authorities and the Chamber of Regions – and three Committees, it represents over 200 000 local and regional authorities;
- Established in 1959, the <u>European Court of Human Rights</u> allows individuals, groups and governments, regardless of nationality, to contest alleged breaches of the European Convention on Human Rights by one of its States Parties.
- There are many decisions from the Court that are relevant for sport and the <u>case-law on sport-related cases</u> is increasing, namely in the fields covered by the Saint-Denis Convention. It is therefore crucial to integrate the Court's caselaw in the work of the T-S4 Committee.

- ➤ To know more, delegates, observers and participants in the work of the T-S4 Committee are encouraged to enrol in the HELP on-line course on Sport and Human Rights (http://help.elearning.ext.coe.int/login/index.php).
- The <u>Commissioner for Human Rights</u> is an independent institution within the CoE, mandated to promote awareness of and respect for human rights in the 46 CoE member States;
- The <u>Conference of International Non-Governmental Organisations</u> provides a vital link between
 politicians and citizens and helps to ensure that the voice of civil society is heard at the CoE. It
 comprises delegates from INGOs;
- Individual NGOs, like international sports or supporter organisations, also participate directly as observers in the work of the Council of Europe Committees, including the T-S4.
- Elected by the Parliamentary Assembly for a period of five years, the <u>Secretary General</u> is the head of the Organisation and is responsible for strategic planning, management of the programme of activities and the budget of the CoE which employs 2 500 people from the 46 member States. Most of the Secretariat works in the headquarters (Strasbourg), but the Organisation also has a number of country offices and offices in charge of liaison with other international organisations.
- ➤ The Sport Division team, comprising the three Sport Conventions and EPAS, is part of the Directorate General of Democracy (DGII) - see appendix.

1.2 Council of Europe Conventions relevant for T-S4

The CoE has adopted over 220 Conventions (also called treaties), one of the most recent being the Saint-Denis Convention. These are legally binding upon States once they have officially expressed the wish to become "States Parties", usually through a procedure called "ratification". The State of signatures and ratifications of all treaties can be checked at the treaty office website (https://www.coe.int/en/web/Conventions/full-list).

Many open CoE Conventions (like the Saint-Denis Convention) allow non-CoE member States to become States Parties. So far, several States have already expressed their intention to join the Convention in the future, but none has formalised it yet.

The following Conventions are of particular interest for the T-S4 work.

- The <u>European Convention on Human Rights</u> entered into force in 1950 and secures fundamental civil and political rights. All CoE member States are Parties to this Convention, which has established a unique system for ensuring respect for human rights: the European Court of Human Rights.
- The <u>European Social Charter</u> safeguards the economic and social rights of Europe's citizens, including those related to employment, social and legal protection, housing, health, education, free movement and non-discrimination.
- The Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 108 and its additional protocol ETS n°181) was opened for signature on 28 January 1981. The modernisation of Convention 108 (2018) pursued two main objectives: to deal with challenges resulting from the use of new information and communication technologies and to strengthen the Convention's effective implementation.
- The <u>European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches</u> (ETS No. 120), also known as the Spectator Violence Convention (T-RV), which was opened for signature on 19 August 1985 and entered into force

on 1 November 1985. This Convention urges States Parties to co-operate between them and encourages similar co-operation between public authorities and independent sports organisations to prevent violence and control the problem of violence and misbehaviour by spectators at sports events.

 Because culture plays a key part in understanding other people and respecting diversity, the Council of Europe adopted the <u>European Cultural Convention</u> in 1954, which provides the basis for Europe-wide co-operation in the fields of culture, education, youth, sport, languages and the transmission of common values. This important treaty celebrates this year its 70th anniversary.

Further to the Conventions, the <u>European Sports Charter</u>, which was revised in 2021, is a non-binding text which provides guidance for the CoE member States to develop a comprehensive framework for sport including by perfecting existing legislation and policies. The <u>Council of Europe's Enlarged Partial Agreement on Sport (EPAS)</u> monitors and supports the implementation of the Charter in its States Parties. The Charter complements the ethical principles and policy guidelines set out in the three sports Conventions. The <u>Code of Sports Ethics</u> acts as a complement to the Charter.

1.3 Monitoring and evaluation mechanisms

The CoE also performs a monitoring mission to assess compliance by member States with its standards. Monitoring can take different forms and be based upon a treaty or not. For instance:

- The <u>European Committee of Social Rights</u> checks whether the rights to housing, health, education, employment and freedom of movement guaranteed by the European Social Charter are being upheld by the countries concerned.
- The Committee on Safety and Security at Sports Events (T-S4), also known as the "Saint-Denis Committee", monitors the implementation of the Saint-Denis Convention, including through visits to the States Parties. It sets standards, notably through recommendations, supports the provision of technical assistance, building upon the collection and exchange of experience and good practices, and promotes international cooperation with relevant stakeholders. Monitoring activities comprise annual monitoring questionnaires and reports, as well as monitoring visits according to a multi-annual programme of visits to States Parties. The first monitoring visit was held in Germany, in November 2023, in the context of the preparations for UEFA EURO 2024.
- The Monitoring Group of the Anti-Doping Convention (T-DO) facilitates the implementation of the Convention and its Additional Protocol by developing recommendations. It also evaluates implementation by compiling annual reports and organising evaluation visits, followed by the publication of compliance reports.
- The Follow-up Committee on Manipulation of Sports Competitions (T-MC), which monitors the implementation of the Convention; makes recommendations to the Parties on measures to be taken in order to enhance the operational co-operation between the relevant public authorities, sports organisations and betting operators; prepares opinions to the Committee of Ministers of the Council of Europe; and informs relevant international organisations and the public about the activities undertaken within the framework of the Convention.
- The evaluation of national sport systems carried out by Council of Europe in States Parties to EPAS, in the light of the <u>European Sports Charter</u>.

1.4 Partial agreements

When a number of countries wish to invest further on topics that may not interest all CoE member States, they can resort to the setting up of "Partial agreements". Only those States that become members are involved in their work and contribute to their financing.

Three examples of such agreements are:

- The Council of Europe Development Bank;
- The Group of States against Corruption (GRECO); and
- The <u>Enlarged Partial Agreement on Sport (EPAS)</u> which provides a platform for public authorities and sports organisation to work towards a safe, inclusive and ethical sport (see § 2.1 below).

2. The Council of Europe and Sport

The CoE sport programme strives to achieve a balance between the promotion of the CoE values "through" sport and the defence of these values "in" sport.

The Sport programme is part of the CoE "Rule of Law" pillar since through its sports conventions and EPAS, it covers issues that represent major challenges to the integrity of sport, including risks to the safety and security of participants in sport events, sports manipulations and doping. It also addresses human rights issues in sport, in particular concerning the protection from violence, child safeguarding, gender equality and access to justice.

The Council of Europe has set its priorities in the field of sport for the next four years (2022-2025), in accordance with the strategic framework of the Secretary General of the Council of Europe and the decisions taken at the Hamburg Ministerial Session (May 2021).

In the light of the evolving threats to sport, such as doping, violence at sporting events, discrimination, manipulation of sports competitions, corruption and Human rights violations, these priorities should help to strengthen sport as a value-based activity and ensure that Human rights are embedded in sport. They are structured around three strategic axes:

- Placing the protection of Human rights and respect for the rule of law in sport firmly on the agenda of governments and sports organisations;
- Striving for major advances in the promotion of values-driven sport; and
- Reaffirming the key role of the Council of Europe as a reliable and essential partner in addressing European and global challenges in the field of sport.

In order to achieve these objectives, the Council of Europe relies on the co-ordinated action of its two driving forces - the Enlarged Partial Agreement on Sport (EPAS) and the Sport Conventions - which have now been brought together in a single entity, the Sport Division.

The Sport Division will focus its work on the promotion and implementation of the recently revised European Sports Charter, a reference text for the development of sport in Europe, and on the promotion of its thematic Conventions against doping, against the manipulation of sports competitions and for safety, security and services at sports events, which, owing to their international scope and their mandatory nature for their States Parties, contribute to the creation of a sports environment that respects democratic processes, Human rights and the rule of law.

Furthermore, the Council of Europe stresses the need to continue and strengthen co-operation with stakeholders, both in-house with other Council of Europe sectors, but also with international organisations and partners and with sports organisations in order to promote good governance and Council of Europe standards and values in sport.

The Council of Europe Sport Division is responsible for the development, promotion and implementation of ground-breaking legal instruments aimed at protecting the integrity and values of sport whilst promoting Human rights.

2.1 Policy Development: Enlarged Partial Agreement on Sport (EPAS)¹

On 11 May 2007, the CoE adopted Resolution CM/Res(2007)8, establishing the Enlarged Partial Agreement on Sport (EPAS)², in order to give fresh momentum to pan-European sports co-operation and address the current challenges facing sport in Europe – building on more than thirty years of activity in the field.

EPAS provides a platform for intergovernmental sports co-operation between the public authorities of its member States. It also encourages dialogue between public authorities, sports federations and NGOs. This contributes to better governance, with the aim of making sport more ethical, more inclusive and safer.

EPAS aims to promote the development of any sport whose benefits are wide-reaching. It develops policies and standards, monitors them and helps with capacity-building and the exchange of good practices. It uses CoE sports standards such as the European Sports Charter, the Code of Sports Ethics, the European Convention on Spectator Violence, the Anti-Doping Convention, the Convention on the Manipulation of Sports Competitions and the Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events, as the basis for drawing up its own strategies. In 2020, EPAS is continuing its activities that were launched in 2019 to consider revising the European Sports Charter, which was last updated in 2001.

Different recommendations initially prepared by EPAS have been adopted by the CoE's Committee of Ministers on issues of sports ethics, the autonomy of the sports movement, the protection of young athletes from dangers associated with migration, and gender mainstreaming. The Recommendation on the promotion of good governance in sport is the most recent and was adopted on 12 December 2018. Work is underway to draft another new recommendation on extreme martial arts and combat activities. Key recommendations such as the European Sports Charter are regularly monitored via evaluation visits in member States.

Since 2009, EPAS has carried out awareness-raising and co-operation activities on the promotion of diversity in and through sport, focusing successively on different groups (ethnic minorities, persons with disabilities, women, children, persons in detention, and newly arrived migrants and their integration via sport). EPAS continues to work on issues of concern for the safeguard of human rights in sport at national and international level.

Since 2014, EPAS has strengthened its operational co-operation capacity by developing joint projects with the European Union and the sports movement, for example on the topics of gender equality, child protection (in particular the fight against sexual abuse in sport), and on good governance standards.

Finally, <u>CoE Conferences of Ministers responsible for Sport</u> continue to be organised regularly thanks to EPAS (Athens 2008, Baku 2010, Belgrade 2012, Macolin/Magglingen 2014, Budapest 2016, Tbilisi 2018 and Athens 2020). The last Conference of Ministers took place on 26 October 2022 in Antalya, where two Resolutions were adopted (https://rm.coe.int/msl17-10-resolutions/1680a8bcf1).

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¹ E-mail: sport.epas@coe.int; Twitter: @epas_apes.

² Check the number of EPAS members at the CoE Treaty Office webpage.

2.2 Sports Conventions

There are three CoE Conventions in the field of sport, besides the Saint-Denis Convention.

• The Anti-Doping Convention (CETS No. 135)

The Anti-Doping Convention is the international legal reference instrument in the fight against doping and shows a solid, concerted commitment on this issue.

The Convention was open for signature on 16 November 1989 and entered into force on 1 March 1990. To this day it has been ratified by 52 States and is open to non-member States of the CoE. It has been adopted by Australia, Belarus, Canada, and Tunisia. The Convention does not claim to create a uniform model of anti-doping but sets a certain number of common standards and regulations requiring Parties to adopt legislative, financial, technical, educational and other measures.

The main objective of the Convention is to promote the national and international harmonisation of the measures to be taken against doping. In their constitutional provisions, each contracting Party undertakes to:

- create a national co-coordinating body;
- reduce the trafficking of doping substances and the use of banned doping agents;
- reinforce doping controls and improve detection techniques;
- support education and awareness-raising programmes;
- guarantee the efficiency of sanctions taken against offenders;
- collaborate with sports organisations at all levels, including at international level; and
- use accredited anti-doping laboratories.

Furthermore, the Convention describes the mission of the <u>Monitoring Group</u> set up in order to monitor its implementation and periodically re-examine the List of prohibited substances and methods which can be found in annex to the main text.

An <u>Additional Protocol to the Convention</u> entered into force on 1st April 2004 with the aim of ensuring the mutual recognition of anti-doping controls and of reinforcing the implementation of the Convention using a binding control system.

The Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA) co-ordinates the position of the European public authorities towards relevant international partners, on the World Anti-Doping Programme with a view to ensuring inter alia that any reorganisation of the world anti-doping system is undertaken in accordance with the core values of the Council of Europe. In addition, the CoE, leads the development and implementation of the global co-ordination mechanism "One Voice" for public authorities in WADA.

• The European Convention on Spectator Violence (CETS No. 120)

The European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches was opened for signature on 19 August 1985 and, in record time, came into force on 1 November 1985. The Convention is often mentioned as "T-RV" for "Treaty for the Reduction of Violence", or as the Spectator Violence Convention.

As of September 2023, the Convention had been ratified by 16 States and three others have signed it. A number of non-European States are observers, namely: Argentina, Brazil, Canada, Israel, Qatar and Tunisia. Belarus, Kazakhstan and the Holy See as State Parties to the European Cultural Convention, also have an observer status. Interpol has also the status of Observer. Moreover, international football federations, such as FIFA and UEFA, the European Leagues and supporters NGOs like Football Supporter Europe (FSE) and Supporters Direct Europe (SDE), as well as NGOs working in the field of inclusiveness, like the Centre for Access to Football in Europe (CAFE) and Colour-blind Awareness, have also an observer status.

The principal aim of the 1985 Convention is to prevent and control violence and misbehaviour by spectators at football matches. It provides for practical measures to prevent and control violence and requisite action to identify and deal with offenders. However, across its more than three decades of

existence, much of its content needed to be updated to be consistent with the 26 recommendations adopted during this period and to promote a better multi-agency integrated approach on safety, security and service.

These recommendations were updated and consolidated in a single one (Recommendation Rec(2015)1), which builds the bridge to the new Convention, adopted one year later. The Recommendation comprises three inter-related Annexes on good practices: Safety (Annex A), Security (Annex B) and Service (Annex C), along with respective checklists (Annex D), each one comprising several appendices. This is a lively document and, therefore, based on recent good practices and lessons learned, a revised version was submitted in 2019 and adopted early 2020.

The Standing Committee decided, in October 2021, to suspend its activities, for the sake of greater effectiveness and coherence in the work. However, its Parties shall continue participating as Observers *ex officio* in the T-S4 Committee.

• The Council of Europe Convention on the Manipulation of Sports Competitions (CETS No. 215)

The so called "Macolin Convention" was adopted by the Council of Europe Committee of Ministers on 9 July 2014. It was opened for signature by the member States of the Council of Europe, the European Union and the non-member States which participated in its drafting or enjoy observer status with the Council of Europe on 18 September 2014, in Magglingen / Macolin (Switzerland). Since 2016, its secretariat is a part of Sport Division team in the Directorate General of Democracy (DGII). It entered into force on 1 September 2019.

The Macolin Convention is a ground-breaking legal instrument and the only legally binding international treaty on the topic of manipulation of sports competitions. It seeks to protect the integrity of sport, while addressing the non-sporting criminal nature of the phenomenon itself, which has henceforth been revealed to cover a domain beyond corruption. While it can be a type of corruption, it also identified with other financial crimes, such as money laundering or fraud and potentially involving organised crime. The Convention therefore refers to other treaties adopted by the CoE and by the United Nations, which further detail the specific nature of the financial crime stemming from competition manipulation.

The core objective of the Macolin Convention is to address in a practical manner any potential threat to the integrity of sport as this increases the risk of the manipulation of sports competitions. In this respect, it responds to the need for a legal instrument establishing a robust framework for national and international co-operation in fighting this worldwide scourge. It therefore foresees that States which are not members of the CoE become parties to the Convention.

The Convention proposes standards and principles to be set in order to prevent, detect and sanction the manipulation of sports competitions. It notably provides the first and now commonly used definition of the phenomenon, which not only sanctions the act of manipulation but also the attempted manipulation.

The Macolin Convention approaches the manipulation of sports competitions in a unique manner, engaging in one coordinated action all relevant public and private stakeholders, namely public authorities (including ministries, law enforcement agencies and prosecutors), the sport movement (notably organisations and federations) and sports betting operators.

The T-MC Committee to monitor the implementation of the Convention will assure an institutional base and political sustainability to the Macolin Process in countries. Only countries that ratify the Convention will have voting rights and be able to determine the scope of activities within the Convention, including standard setting (recommendations, guidelines, etc.).

3. The Saint-Denis Convention

3.1 Origins

At the Conference of Ministers of Sport of the Council of Europe, held in Belgrade in March 2012, it was agreed that the Standing Committee should study the extent to which it is necessary to update the European Convention on Spectator Violence from 1985.

The Standing Committee conducted a study in 2013, which concluded that the 1985 Convention no longer provided an appropriate response to the problem of football-related violence and that there was an overwhelmingly strong case for revising the Convention.

There were a number of inter-related reasons for proposing this outcome. In summary, the key factors included:

- the Convention was almost three decades old and understandably much of the content was out-of-date and inconsistent with current European experience and good practice;
- the current emphasis of the Convention was on spectator violence in isolation from other crucial factors; nevertheless, safety and service (otherwise known as "hospitality") had a demonstrable impact on supporter's behaviour and associated levels of risk. This situation represented a fundamental weakness which should be addressed;
- the unbalanced (and in some cases conflicting) content of the Convention compared to more recent Standing Committee recommendations could be confusing for States Parties and could undermine the credibility of the Convention;
- the relatively narrow focus of the Convention gradually became inconsistent with the much wider and continually evolving mandate and work of the Standing Committee;
- greater account needs to be taken of the impact of societal changes (political, social, cultural, economic and technological) on the football experience and associated character and level of risk.

In the light of this study, the Committee of Ministers decided, in December 2013, to update the Convention and instructed the Standing Committee to revise it. The Standing Committee prepared a new text which, after intensive consultation and discussion, was refined and then unanimously endorsed by delegations of all States Parties in December 2014. It was transmitted to the Group of Reporters (GR-C) of the Committee of Ministers, which sent this text to the Parliamentary Assembly for an opinion.

The Committee on Culture, Science, Education and Media of the Parliamentary Assembly adopted a draft opinion on 29 September 2015. This opinion was sent for formal adoption to the Standing Committee of the Parliamentary Assembly, which would meet on 27 November 2015 in Sofia.

The draft text would come back to the GR-C level in January 2016 for adoption. The text was subsequently adopted by the Committee of Ministers, in May 2016, without debate. The Ministers' Deputies also took note of the explanatory report.

Once the drafting procedure finished, the Convention was open for signature on 3 July 2016 in Saint-Denis (France), during a ceremony that took place at the Stade de France, ahead of a quarter-final match of the UEFA EURO 2016 tournament. This is why the Convention is named after «the <u>Saint-Denis Convention</u>».

The Convention entered into force on 1 November 2017, after the third ratification³.

Its committee held its first formal meeting on 14-15 April 2021. At this meeting, the Committee adopted its Rules of Procedure⁴, which include the establishment of Advisory and Ad hoc Groups, and its Policy Strategy for 2021-2025⁵. Its third meeting, planned for 18-19 October 2023 in Strasbourg, will be the first fully in-presence meeting of the Committee.

³ Article 17.1 of the Convention.

⁴ Document T-S4(2021)14.

⁵ Document T-S4(2021)15.

3.2 Signatures, ratifications and observer status

To become a Party to the Saint-Denis Convention⁶, a State usually follows a two-step procedure:

- The first step is the signature, notably stating the political willingness to become a Party to the Convention in the future. States that sign a Convention must refrain from acts which would defeat its object and purpose.
- The second step is when States express the consent to be bound by the treaty (usually by its ratification). By becoming a Party, the State accepts important obligations and also gains the right to fully participate in the life of the treaty.

As of early February 2024, 10 countries have signed the Convention, and 29 have already ratified it. This procedure was delayed by several States due to the need for the EU do adopt a <u>Council Decision</u> authorising its member States to become parties, in the interest of the EU, to the <u>Saint-Denis Convention</u>⁷. Several States have already finished the internal ratification procedure and will deposit the instrument of ratification in the near future.

States that are not members of the CoE can also access the Convention, upon invitation from the CoE Committee of Ministers⁸.

Besides joining the Convention, any member State of the CoE or other State Party to the European Cultural Convention, any non-member State which is a Party to the Spectator Violence Convention, as well as non-State organisations, can be granted by the T-S4 Committee the observer status⁹. The observer status shall be granted for a period of three years, renewable.

Following a decision of the Committee of Ministers¹⁰, in the context of a procedure launched against the Russian Federation under Article 8 of the Statute of the Council of Europe for a serious violation of Article 3 of the Statute, the Saint-Denis Committee, on 13 December 2022, decided by, qualified majority, to revise its Rules of Procedure (paragraph 8 of Article 2) and, based on this new provision, decided to restrict the participation of the Russian Federation in its work, with immediate effect¹¹. A similar decision was taken in April 2023 by the Saint-Denis Committee, *a fortiori* and *mutatis mutandis*, regarding Belarus, who has an *ex officio* Observer status to the Committee¹².

- > T-S4 delegates are encouraged to liaise with their colleagues in States that are not yet Parties to promote the ratification of the Convention.
- > The state of signatures and ratifications can be checked on the CoE Treaty Office webpage.

3.3 Main principles and features

The Saint-Denis Convention will progressively replace the Spectator Violence Convention. The purpose is to go from a violence-focused approach towards an integrated approach and to promote co-operation between all relevant private and public stakeholders, at local, regional, national, European and international level.

The aim of the new Convention is to make football matches and other sports events more safe, secure and welcoming. Three of its main features are the following:

- it is the only legally binding instrument in the world dealing with this subject;
- it establishes modern principles and the highest standards and best practices in this field; and

⁶ Article 16 of the Convention.

⁷ Council Decision (EU) 2019/683, of 9 April 2019.

⁸ Article 18 of the Convention.

⁹ Article 13.3 and 4 of the Convention.

¹⁰ Committee of Ministers' decision <u>CM/Del/Dec(2022)1438/2.3</u> of 30 June 2022.

¹¹ Document T-S4(2022)36.

¹² Article 13.3 of the Convention.

 it promotes institutional co-operation between all relevant stakeholders and experts in the organisation of sports events.

The Convention promotes a balanced and integrated multi-agency approach, covering three interdependent and overlapping pillars: Safety, Security and Service, to ensure a safe, secure and welcoming environment at sports events, in and outside of stadia. It identifies six key actors, equally important: government, municipal authorities, police, football authorities, supporters and local communities.

As stated in the Convention¹³, its monitoring body, the <u>Committee on Safety and Security at Sports</u> <u>Events</u>, should hold its first meeting within one year of the date on which ten member States of the CoE ratified the Convention. The first meeting took place mid-April 2021.

States and organisations alignment with the provisions of the Convention is promoted through a monitoring programme and technical assistance activities.

The principles and provisions of the Convention are to be developed through a Recommendation with established good practices in the fields of safety, security and service at football and other sports events. This recommendation was first adopted by the T-RV Committee in 2015¹⁴ and a revised version was adopted in 2020. In April 2021, the T-S4 Committee adopted this recommendation (Rec(2021)1).

- The text of the Convention and its explanatory report can be consulted here (https://www.coe.int/en/web/sport/safety-security-and-service-approach-Convention)
- > The T-S4 Committee will play a major role in monitoring the application of the Convention, interpreting its provisions and setting the priorities for its effective implementation.

3.4. The Recommendation on safety, security and service

Acknowledging the urgency to update the ethos and core principles of the 1985 Convention before a new Convention was enacted, along with the need to consolidate and update all recommendations, resolutions and statements adopted by the Standing Committee across three decades, this Committee adopted in June 2015 the Recommendation Rec (2015)1 on Safety, Security and Service at Football Matches and other Sports Events, which updated and replaced all 26 recommendations previously adopted.

This Recommendation Rec(2015)1 focuses on the established need to develop and implement an integrated multi-agency approach to safety, security and service in connection with football events, based on comprehensive national and local co-ordination arrangements and effective international, national and local partnerships.

The Recommendation builds the bridge between the old and the new Conventions and is the ideal supplement to interpret and translate into practice the articles of the new Convention. Thanks to its four annexes below, the Committee can monitor, and each State can self-evaluate, to which extent its safety, security and service arrangements for football matches and other sport events comply with good practices described in the recommendation.

The four Annexes of the Recommendation provide a range of established good practices on:

- Safety: Recommended Good Practices (Annex A)
- Security: Recommended Good Practices (Annex B) and
- Service: Recommended Good Practices (Annex C),
- along with a series of checklists (Annex D) intended to assist in monitoring the extent to which national arrangements are in compliance with the good practices herein.

¹³ Article 13.5 of the Convention.

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¹⁴ Recommendation Rec(2015)1.

In 2019, the Recommendation was revised and updated. This revised version was adopted by the Standing Committee early 2020. The T-S4 Committee also adopt this Recommendation at its first meeting, in April 2021, as T-S4 recommendation Rec(2021)1.



Architecture of the Saint-Denis Convention and the 2015 Recommendation

- > The Recommendation is the consolidation of more than three decades of established good practices in the field of safety, security and service across Europe.
- As a collection of recommended good practices and lessons learned in the field, the Recommendation is a lively document and, therefore, should be revised by the Committee on
- a regular basis.

3.5. Further recommendations

The Saint-Denis Committee further adopted, on 1 September 2022, the following two recommendations, which facilitate the implementation of the Convention by States Parties:

 T-S4 Recommendation Rec (2022) 1 on a model structure of a national strategy on safety, security and service at football matches and other sports events.

This Recommendation aims at supporting States Parties in complying with their obligation to develop national and local strategies, to be regularly evaluated and refined in the light of national and international experience and good practices (Article 4.4 of the Convention). This document identifies a list of 10 issues which comprise a model structure of a national strategy on safety, security and service at football matches and other sports events.

 T-S4 Recommendation Rec (2022) 2 on a Model national legislative and regulatory framework on safety, security and service at football matches and other sports events This Recommendation is based on the provision of the Convention that requires States Parties to ensure that their legal, regulatory or administrative frameworks clarify the roles of the relevant agencies (Article 4.5 of the Convention). Its aim is to provide a model legislative and regulatory framework that facilitates the task of States Parties who wish to adopt of refine their national laws on safety, security and safety at football matches and other sports events (Annex 1), as well as their national regulations on stewarding and private security at these events (Annex 2).

The Advisory Groups are currently drafting questionnaires that will lead to future recommendations, on two topics: the use of collective travel bans against supporters and the use of legal and illegal pyrotechnics at sports events.

4. The work in the field of safety, security and service at sports events

The Convention sets up a body to monitor its implementation: the T-S4 Committee. This body shall adopt consecutive policy strategies for 4-year periods. The first strategy to be adopted was the policy strategy for 2021-2025¹⁵.

The mission, vision and values of the Committee are stated in this document as follows:

- Mission: to maximise States capacity to ensure safe, secure and welcoming sports events across Europe and worldwide, through standard-setting and monitoring the Saint-Denis Convention standards on safety, security and service at football and other sports events.
- Vision: Make sporting events safer, more secure and welcoming, thus contributing to the protection and promotion of human rights and the rule of law in and through sport.
- Values: Professionalism, Integrity, Respect.

The first policy strategy further identifies the following five strategic goals to be pursued by the Committee, each of them broken down into four objectives, to be reached until the end of 2025:

- 1. Establish a solid and effective monitoring mechanism under the Saint-Denis Convention
- 2. Ensure standard setting of the Saint-Denis Convention
- 3. Promote the implementation of the Saint-Denis Convention
- 4. Develop partnerships with relevant stakeholders
- 5. Develop international cooperation.

This document was adopted by the Committee at its first meeting, mid-April 2021.

Since the Saint-Denis Convention doesn't repeal the 1985 Convention, there will be necessarily a smooth transition period to ensure the transmission of knowledge between the Standing Committee (T-RV) and the new T-S4 Committee.

- Every five years, the T-S4 Committee adopts a policy strategy with a set of goals and objectives that guide its work.
- The core mission of the T-S4 Committee is to maximise States capacity to ensure safe, secure and welcoming sports events, through standard-setting and monitoring.

¹⁵ Document T-S4(2021)15.

5. The T-S4 Committee working methods

The Convention sets up a body to monitor its application, as well as for the interpretation of its provisions: the T-S4 Committee¹⁶. The functioning and operation of the Committee is governed by its Rules of Procedure¹⁷. As regards its monitoring activities, the Committee is governed by its Guidelines on Monitoring¹⁸.

The Convention provisions do not detail the way in which the Committee should function. These is done through the Rules of Procedure, which also take into account standard practice in the CoE for Committees work, including Resolution CM/Res(2011)24 Governing the work of intergovernmental Committees.

Every year, the Committee shall convene two plenary meetings, in Spring and Autumn.

Delegations of the States Parties to the Spectator Violence Convention are given the observer status in the Saint-Denis Convention.

The Committee has its own Bureau to ensure the preparation of its meetings and the continuity of its action. The Bureau consists of the Chair, the Vice-Chair and the Chairs of the Advisory Groups. The members of the Bureau shall be particularly involved in the core activities of the Committee, namely by coordinating the work on monitoring, standard-setting and international cooperation areas. The Bureau may also invite the chair of any ad-hoc groups established by the Committee to participate in the meeting in an advisory capacity.

Pursuing to its Rules of Procedure, and in order to facilitate its work, the Committee decided to establish two types of groups of experts¹⁹, with different mandates:

- Advisory Groups, like the Advisory Group on monitoring (T-S4 MON), the Advisory Group on standard-setting and legal issues (T-S4 LI) and the Advisory Group on international cooperation (T-S4 COOP). These groups met for the first time between October 2021 and February 2022; and
- Ad hoc Groups, to undertake specific tasks which cannot be performed by the entire Committee, such as work related to the preparations for an international sporting event. The Ad hoc Working Group on FIFA World Cup Qatar 2022 was the first one to be established and met for the first time in November 2021. Its 2nd and final meeting occurred on 20 April 2023, and made a final evaluation of the tournament, by identifying good practices and lessons learned for future tournaments. The current Ad hoc Working Group, established in April 2023, regards preparations of UEFA EURO 2024 in Germany, which held its first meeting on 19 October 2023 and the second one on 24 April 2024; and the forthcoming one will be on FIFA World Cup 2026 in Canada, Mexico and USA.

The Committee comprises three categories of members:

- heads of delegation and national delegates, representing the States Parties;
- participants, i.e., the European Union and representatives of Committees or other bodies of the Council of Europe engaged in related work, as well as the Parliamentary Assembly, the European Court of Human Rights, amongst others; and
- observers, which can be Observer States, international organisations or sports organisations, like FIFA, UEFA and supporter and athlete organisations.

The advisory Groups and Ad hoc Groups comprise national delegates, national experts and observers, as appropriate.

¹⁶ Article 14 of the Convention.

¹⁷ Document T-S4(2021)14.

¹⁸ Document T-S4(2021)18.

¹⁹ Article 14.4 of the Convention.

Delegates, observers and participants in the work of the T-S4 Committee are expected to behave according to the CoE work ethics and its rules, in particular concerning anti-harassment, anti-discrimination, child safeguarding and fraud prevention. Delegates should also respect the confidentiality of in-camera discussions and of the documents that the Committee decides to keep confidential.

- > The Parties to the Spectator Violence Convention have an *ex officio* observer status to the Saint-Denis Convention.
- The T-S4 Committee shall be broken down into different expert groups Advisory Groups and Ad hoc Groups to, respectively, develop the four areas of the CoE's activity and undertake specific tasks.

6. The Internet resources

6.1. The sport website

The <u>sports website</u> of the Council of Europe provides the official translations of the Convention, its explanatory report and the whole revised Recommendation (English and French), as well as several non-official translations of the Convention and its explanatory report (Bulgarian, Dutch, Finnish, Georgian, Lithuanian, Norwegian, Polish, Portuguese, Romanian, Russian, Slovak, Spanish - with Explanatory Report and the whole Recommendation in its original version - and Swedish).

It also updates on the work of the Secretariat, on the other sports conventions and EPAS activities.

The generic email address for the T-S4 Committee is: sport.t-s4@coe.int

6.2. The online courses

There are currently two CoE massive open online courses (MOOCs) available in the field of sport:

- the e-learning course on the Saint-Denis Convention: prepared within the framework of the joint project PROS4+, this course comprises 8 modules, which contain elements to lead effective and efficient safety, security and service management during the organisation of sports events with the ultimate aim of making football matches and other sports events safer, more welcoming and more secure. This course is available in English, Polish and Portuguese.
- the HELP e-learning course on Human Rights in Sports: the purpose of this course is to help legal professionals and sports experts to better understand and apply European and international law standards. It comprises 9 modules, covering relevant articles of the European Convention on Human Rights and the human rights aspects addressed by the four sport conventions: anti-doping, manipulation of competitions, spectator violence and safety and security. This course has been developed jointly by the Sport Division Team of the Council of Europe Children's Rights and Sport Values Department and the Council of Europe Human Rights Education for Legal Professionals (HELP) Programme, with the collaboration of MGIMO University, from the Russian Federation. This course is available in English, French, Russian and Spanish.

6.3. The factsheets and country profiles

The Internet page of the Saint-Denis Convention also provides a <u>toolkit of 16 factsheets</u> covering different themes of the Convention and its recommendations. This toolkit is available online, in pdf versions, in English, French, Portuguese and Spanish. Paper copies are also available in English and French. This toolkit was designed to reach out the general public, and it is an effective tool to promote the Convention around the world, namely throughout the communities of English, French, Portuguese and Spanish speaking countries.

The same Internet page also provides the <u>country profiles</u> of the Parties to the Convention. Currently, there are 16 country profiles available.

7. The Secretariat

The Secretariat of the CoE, working within the Sport Division team, under the Council of Europe's Democratic Institutions and Freedoms Department, shall support the work of the T-S4 Committee, its Bureau, the T-S4 Advisory Groups and the Ad hoc Working Groups.

Notably, the Secretariat of the CoE assists the T-S4 Committee in its work, preparing the meetings, circulating agendas, convocations and working documents, drafting conclusions and meeting reports. It assists the Chair in conducting the meetings and may also chair meetings if the Chair has not been appointed/cannot perform this function. One of the key missions of the Secretariat is to make the link between the Committee's work and the Council of Europe's broader mission.

The Secretariat also represents the CoE in meetings and events, promoting the Convention and its Committee's work. It regularly engages with delegates, observers, participants, experts and partners and keeps all and the public informed of developments.

Contacts and useful links:

Sports website: https://www.coe.int/en/web/sport/

T-S4 website: https://www.coe.int/en/web/sport/safety-security-and-service-approach-convention

Twitter account : <a>@CoE_Sports