

**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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**Guidelines on the Monitoring
of the Saint-Denis Convention
(CETS No. 218)**

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1 September 2022**

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1. Introduction

The Council of Europe is the guardian of human rights, democracy and the rule of law in the European continent, fostering cooperation across Europe and beyond. In order to meet these objectives across its 47 Member States and ensure that they and other States comply with the Conventions they have ratified, the Council develops and implements programmes to monitor, assess and improve the national legal, policy and institutional systems.

In the field of sport, the Council of Europe has monitored and triggered progress over the last three decades in the fight against doping and violence at sport events. For instance, under the 1985 European Convention on Spectator Violence (ETS No. 120), its Standing Committee (T-RV) has implemented the “Compliance with Commitments programme” since 1997, by carrying out monitoring visits in two-thirds of the States Parties until the end of 2019.

The Saint-Denis Convention (Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events – CETS No. 218), which entered into force on the 1st November 2017, establishes a monitoring mechanism in the following terms: «the Committee, with the prior agreement of the Parties concerned, shall monitor compliance with this Convention through a programme of visits to the States Parties, in order to provide advice and support to the implementation of the Convention». (Article 14, paragraph 2).

The present Guidelines on Monitoring aim to operationalise the Convention’s provisions linked to the monitoring function of the Committee, namely its Articles 11, 12 and 14.

The aim of this document is to establish a monitoring mechanism which is consistent with the Council’s overall principles of monitoring activities and applying a methodology which is clear and results-based. These guidelines also leave enough flexibility to the Committee to address specific needs/issues.

Within the framework of the Council of Europe’s approach to efficient and effective monitoring, the mechanism is primarily intended to provide advice and support to the interested countries in developing or improving their legislation, policies and practices, in accordance with international standards. Moreover, it should facilitate international co-operation and the transfer of relevant knowledge and experience between the countries.

The assessment of technical compliance shall address the extent to which a given country complies with the specific requirements of the standards in laws, regulations or other required measures, which are in force and in effect, including in respect of the administrative and institutional framework and the existence, powers and procedures of competent authorities. The assessment of effectiveness shall evaluate the adequacy of the implementation of the standards and identify the extent to which the

country achieves a defined set of outcomes that are central to a robust system on safety, security and service at football and other sports events.

Ultimately, hosting a monitoring visit not only provides an external assessment of the compliance with the Convention, but also allows to benefit from the vast experience and knowledge of the Committee's experts through a dedicated exchange of information and expertise.

Following the visit, any recommendations outlined in the monitoring report will aim at assisting the country in further improving the implementation of the Convention. The follow up activities and implementation of the recommendations should also establish a solid foundation for further co-operation between the country and the Council of Europe in the field of safety, security and service at sports events. Finally, this exercise allows for national accomplishments to be more visible and recognised internationally.

1.1. The «Compliance with Commitments» programme

The "Compliance with Commitments" Programme (CwC) concerns all sport legal instruments, i.e., the principal Council of Europe standards in the field of sport, namely:

- The Standing Committee of the European Convention on Spectator Violence (T-RV) conducts visits on the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (1985);
- The EPAS Governing Board conducts visits on the revised Code of Sports Ethics (Rec 10/16) and on the European Sports Charter (Rec 92/13 Rev); and
- The Monitoring Group (T-DO) conducts visits on the Anti-Doping Convention (1989).

The Follow-up Committee (T-MC), , set up in 2020, has not yet conducted visits in the context of the Council of Europe Convention on the Manipulation of Sports Competitions (2014).

For the European Convention on Spectator Violence, the CwC Programme was developed under Article 9, paragraph f., of the Convention, which provides a legal basis for the T-RV in general terms: "*make any proposal for improving the effectiveness of this Convention*". However, this general wording did not mean any obligation for countries to organise visits and, therefore, the whole programme was dependent on the initiative of the States Parties.

In order to ensure a consistent methodology between the different conventions, a handbook on procedural guidelines (document CDDS (2003) 59 rev) was prepared to set out the procedures for monitoring visits for the sport sector. This document was updated in 2017 and replaced by the document SPORT(2017)2.

1.2. Monitoring activities under the Saint-Denis Convention (Article 14.2)

Article 14.2 of the Saint-Denis Convention states that “*The committee, with the prior agreement of the Parties concerned, shall monitor compliance with this Convention through a programme of visits to the States Parties, in order to provide advice and support on the implementation of this Convention.*”

The important difference with the previous convention of 1985 is the explicit reference in the Saint-Denis Convention to a programme of visits to the States Parties, as part of the obligations that States have to fulfill.

Since such a monitoring is now prescribed by the Saint-Denis Convention, its Committee is expected to put in place a comprehensive monitoring mechanism.

2. Monitoring the standards of the Saint-Denis Convention: General framework

2.1. Legal framework

It is important to recall that, in accordance with the general international public law principle of “*pacta sunt servanda*”, all obligations contained in a Treaty are “binding upon the Parties to it and must be performed by them in good faith” (Vienna Convention)¹.

Consequently, provisions such as Article 12 of the Saint-Denis Convention, requesting each State Party to forward to the Secretary General of the Council of Europe, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention, are legally binding.

2.2. Aim and scope of the monitoring

The aim of a monitoring is primarily to carry out a comprehensive and an integrated assessment of the relevant national legislation, policies and practices against the provisions and standards enshrined in the Convention, namely through questionnaires, visits and follow-up measures.

The interpretation and application of the Convention’s provisions and standards can be considered in the light of other relevant standards, such as, recommendations of the Committee of Ministers of the Council of Europe or of the statutory body to the Convention, i.e., its Committee.

¹ Article 26 of the Vienna Convention on the Law of Treaties, done at Vienna on 23 May 1969.

A number of common general principles and objectives govern monitoring activities conducted by the Committee. In line with these principles and objectives, the Committee's procedures should:

1. Adopt an effective monitoring mechanism and ensure its implementation;
2. Ensure that there is a level playing field, whereby monitoring reports, including the executive summaries, are consistent, especially with respect to the findings, the recommendations and the action plan;
3. Ensure that there is transparency and equality of treatment, in terms of the assessment process, for all countries assessed;
4. Identify and promote good and effective recommended practices;
5. Alert governments and other key stakeholders to areas that need strengthening;
6. Be sufficiently streamlined and efficient to ensure that there are no unnecessary delays or duplication in the process and that resources are used in an effective manner;
7. Promote accountability by making public the main findings and recommendations emerging from the monitoring mechanism;
8. Issue recommendations for a national action plan to be developed by the State concerned;
9. Ensure a timely and effective follow-up, namely by providing advice and support in the implementation of the action plan; and
10. Request to the State concerned, 2 years after the adoption of the action plan, a follow-up report on its implementation.

Monitoring reports shall reflect the situation in the country or territory at the time of the on-site visit. The assessment process will take into account relevant laws and regulations, as well as administrative or institutional measures that are in force and effect at that time or will be in force and effect by the end of the on-site visit.

2.3. Definitions

The following definitions are relevant for the interpretation and implementation of these Guidelines:

- a. "Action plan": means a set of legal, administrative and/or institutional measures proposed by the visited State to the Committee with the aim to

implement each of the recommendations made by the visiting team in their final report, in order to further comply with the Convention (see 5.9).

- b. “Final report”: means a report drafted by the visiting team after the monitoring visit, which comprises namely its findings and recommendations, which will serve as the basis for the action plan, as described below (see 5.8).
- c. “Follow-up report”: means a report drafted and presented by the visited State to the Committee, 2 years after the monitoring visit, with the aim to update it on the state of implementation of the action plan (see 5.9).
- d. “Follow-up visit”: means a visit that the Committee may deem necessary to hold, with the agreement of the visited State, with the aim to assess the level of compliance with the follow-up report. The findings and recommendations of this visit should be the object of a “follow-up visit report”, which may recommend, where appropriate, further technical assistance or the activation of a non-compliance action procedure (see 5.9).
- e. “Monitoring mechanism”: means a set of activities carried out by the Committee, aimed at assessing the level of compliance with the terms of the Convention and provide advice and support on its implementation, namely:
 - the gathering of information provided by the States Parties on legislative and other measures taken, as foreseen in Article 12;
 - the monitoring visits to States Parties, as established by Article 14, paragraph 2, following a list of priority countries adopted by the Committee, with the prior agreement of the Parties concerned;
 - the corresponding action plan; and
 - the follow-up report and, if deemed necessary, the follow-up visit.

The terminology “compliance with commitments” by a State Party refers to the level of implementation, in its national policy and practices, of the principles and standards enshrined in the Convention and in Recommendations adopted by the Committee. This level of compliance - which can be “non-compliant” or “compliant” - is assessed through the different tools of the monitoring mechanism.

- f. “Monitoring visit”: means a visit of 2/3 days to a country, by a delegation composed of experts on safety, security and services issues from various States Parties, carried out by the Committee and aimed at assessing the level of compliance with the terms of the Convention and provide advice and support on its implementation.
- g. “National report”: means a short report, presented by the hosting State prior to the visit, which provides the visiting team with relevant information on the situation in the country (see 5.2).

- h. “Visiting team”: means a Council of Europe delegation, representing the Committee, set up to carry out a monitoring visit to a State Party, or to an Observer State² (e.g., based on a national request or in the context of the organisation of a major tournament, or in the case of non-member States who wish to accede to the Convention), with a composition that should cover the three pillars of the Convention (safety, security and service): expert members from States Parties and from Observer States, International Organisations and/or NGO’s (international football or other sports authorities and supporters’ organisations); and the Secretariat.

2.4. Provision of information (Article 12)

Article 12 of the Convention (Provision of information) requests States Parties to «forward to the Committee, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention, whether with regard to football or other sports.»

This new mandatory provision is an opportunity for the Committee to launch a national questionnaire, to be filled in by Parties after ratification and updated by them on a regular basis, as a primary and continuous monitoring tool, which should cover legislative, administrative and institutional measures and other topics deemed relevant, taken at national level to implement the terms of the Convention in relation to its three pillars.

The replies and updates to the national questionnaire, shall be compiled and analysed in the form of an overview report of the situation in States Parties, to be periodically drafted by the Secretariat (or an external consultant), examined and finalised by the Advisory Group on Monitoring and adopted by the Committee. This report shall identify the main trends, challenges, recommended good practices and lessons learnt in the area of safety, security and service at football and other sports events, as well as the level of implementation of the terms of the Convention by States Parties.

Observer States and Observer Organisations may also be asked to reply to these questionnaires, in order to ensure that the overview report is based on different qualitative and quantitative data and information, coming from public and private sources.

Once adopted by the Committee, the overview report shall be distributed to States Parties and Observers and its executive summary shall be published, namely on the Council of Europe website.

In case a State Party does not agree or does not reply within one year, the Committee may decide to trigger the non-compliance action procedure foreseen below in these Guidelines (see 6.).

² See Article 13.3 and 13.4 of the Convention.

Article 14, paragraph 3, of the Convention reinforces this legal duty of States Parties to provide information to the Committee, further stating that the Committee shall «transmit relevant data to all States Parties of the Convention» and that «it may in particular inform each State Party about the nomination of a new NFIP, and circulate its contact details.».

It is, therefore, mandatory for States Parties to inform the Committee, through their Permanent Representation, of the nomination of a new NFIP. It is also a function of the Committee, through the Secretariat, to keep updated a list of NFIPs and their contact details and circulate it through all the Heads of Delegation.

3. Working methods

The Committee has established an Advisory Group on Monitoring (T-S4 MON) to ensure the adequate design, implementation, follow-up and evaluation of the monitoring mechanism of the Convention.

The functions of the Advisory Group include:

1. Promoting the monitoring mechanism toward States (flyer, factsheet, website);
2. Drafting these Guidelines on Monitoring and proposing amendments, when necessary, with a view to improving their effectiveness;
3. Proposing a set of criteria, based on objective indicators, with a view to scoring the country, in a comparable way, as regards its compliance with commitments;
4. Based on those criteria, analysing the annual reports and information from other sources like other monitoring bodies, media, sports and supporter organisations, and proposing a list of priority countries in need of advice and support for the implementation of the Convention;
5. Proposing a multi-year plan of monitoring visits to priority countries;
6. Coordinating with the Secretariat the analysis of reports on monitoring and on follow-up visits;
7. Coordinating with the relevant Advisory and/or Ad Hoc Working Groups the terms of the technical assistance to be provided, if that is the case, following the visit; and
8. Proposing the launching of an action procedure in case of non-compliance, as foreseen below (see 6.).

4. Criteria for monitoring

4.1. Reminder of criteria under the Spectator Violence Convention

As mentioned above, the visits carried out under the European Convention on Spectator Violence were organised on a voluntary basis. Visits were normally organised upon request of States Parties which were interested in hosting a visit with a view to improving their policies and practices based on the recommendations formulated by the visiting team. The Standing Committee also recommended to certain States to formally request a monitoring visit, notably in the context of the preparation of a major tournament.

The document SPORT(2017)2 mentioned the following criteria:

1. Suspicion about non-compliance drawn from the analysis of the questionnaire and/or reports – or lack of information provided by the country;
2. Input and advice from relevant international partners or independent analytical sources; and
3. Need to assist in the preparation of major sporting events and/or in the bidding process to host major sport events by the countries that are Parties to the Convention. The events which should be considered in this context are major multisport events as well as World and European championships in high risk sports (for Anti-Doping Convention) and European and World football championships (for the European Convention on Spectator Violence).

4.2. Criteria to start the monitoring visits procedure of the Saint-Denis Convention

The Saint-Denis Convention establishes that the Committee has the responsibility to « *with the prior agreement of the Parties concerned, monitor compliance with the Convention through a programme of visits to the States Parties,* », with the aim to “*provide advice and support on the implementation of the Convention*” (Article 14.2).

The establishment of a programme of visits to States should be based on the following criteria, by order of priority:

1. Request by a State Party to hold a visit;
2. Assistance of State Parties in the organisation of a major sporting event and/or in the bidding process to host a major sporting events;

3. Non-compliance, namely:
 - i) No reply to, or lack of information provided through, the annual questionnaire;
 - ii) Following the analysis of the annual questionnaire, the follow-up report and/or follow-up visit; or
 - iii) Lack of regular participation in the meetings of the Committee – absence in three out of the last five meetings.

4. Request by an Observer State, namely in the context of the preparation of a major tournament, or by CoE non-member States that wish to accede to the Convention, for the purposes of Article 14.1.e.

The Advisory Group on Monitoring, in consultation with the Secretariat, shall use these criteria in a thoughtful manner, and with the possibility to weight them up, to draft the multi-annual programme of monitoring visits, to be adopted by the Committee.

5. Organisation of the visits

The monitoring visits start with a formal request from a State or an agreement with the Committee and are structured in different phases, ending as described below.

5.1. Request or agreement to hold a visit

A Party to the Convention, a Council of Europe Member State, an Observer State or a governmental organisation, may benefit from the monitoring programme, be it before or after the ratification/accession. Non-State observers on the other hand may contribute to this programme, in the sense that they can provide relevant information on sports events, as well as play an active role as members of the visiting teams.

In the case where States take the initiative to invite the Committee to hold a visit in their country, they should send a letter to the Secretariat, through their Permanent Representation.

The request should be sent at least 3 months before the expected/proposed visit by the relevant Ministry(es). The State Party should, at this stage, appoint a contact person to prepare the visit and serve as a liaison officer throughout all the monitoring process.

The Committee, based on a programme of visits submitted by the Advisory Group on Monitoring, can take the initiative to propose to a State Party to host a visit. In this case, the standard procedure is the following: the Council of Europe Secretariat will address a letter to the Permanent Representative asking him/her to contact the

competent national authority (identified in that letter) and encourage them to agree to host a visit.

Once the formal request is received from the relevant Minister(s) of the concerned State, through their Permanent Representation, the Secretariat will start coordinating the preparations of the visit, in consultation with the national contact point identified for that purpose.

In countries where a Council of Europe field office is present, it should be informed of the visit.

5.2. Preparation of the national report

Prior to the visit, a national report should be prepared by the hosting State and sent to the Secretariat, with a view to providing preliminary relevant information that enables the members of the visiting team to be adequately informed in advance.

The national report should not exceed 10 pages and should be structured around the following parts:

- Part 1 - National situation vs. the Council of Europe's provisions and standards: shortly explain, in 2 pages, the current situation of the country vis-à-vis the implementation of the Saint-Denis Convention (Articles 1 to 12);
- Part 2 – Main national issues and incidents review: present a short summary of the most serious incidents you are currently facing, in 2 pages, and an overview of incidents and trends over the last five seasons;
- Part 3 - Legal framework: give the overall legal framework, in 2 pages, in the field of safety, security and service at sports events, if necessary with annexes to detail the main relevant law(s) and regulations if necessary;
- Part 4 - National structure: present succinctly, in 2 pages, the sport structure of the country, i.e., the roles and responsibilities of each stakeholder: Ministries, Federations, NFIP, etc. and in particular the role of those involved in safety, security and service at sports events;
- Part 5 - Good practices and lessons learnt: present a summary, in 2 pages, of the recommended good practices and lessons learnt at national, regional and local levels, in the fields of safety, security and service, as regards the national policy and practices, that could be replicated in other countries; and
- Part 6 – Annexes: the national report should be completed by a few annexes (e.g. organisational chart, laws in place, links to sites of stakeholders with further relevant information).

The national report should be provided by the authorities of the country to be visited at least 8 weeks before the visit takes place.

5.3. Appointment and composition of the visiting team

Depending on the scope and complexity of the issues to be addressed during the course of the visit, the visiting team shall be composed of 5 to 6 experts.

Upon recommendation of the Bureau of the Committee, the Secretariat appoints the members of the visiting team, taking into account criteria such as the balance between the three pillars of the Convention (safety, security and service), experience in the field and a gender balanced representation. It is recommended to appoint for each team:

- three governmental experts, among which a team leader is nominated;
- a rapporteur with a governmental/public authority background; and
- one representative from one or two observers to the Committee, if the country agrees to it.

The visiting team is accompanied by at least one member of the Council of Europe Secretariat.

The Secretariat, besides its role in the provision of the necessary staff, material and services required for an adequate monitoring activity, shall act as the guardian of the respect of the Council of Europe's values, standards and regulations.

Particular attention should be paid to avoid conflicts of interests from any member of a visiting team. Absolute integrity of the visiting team is essential to the evaluation process and is thus requested for each member. For instance, an expert cannot be part of a visiting team if the organisation which he/she represents has a contract with the country being visited or is in any other way in an existing or perceived conflict of interest.

In the exercise of their monitoring functions, the members of the visiting team shall act with the sole interests of the Council of Europe in mind. They shall neither seek nor accept instructions from any government, authority, non-governmental organisation or other third party. They shall not accept any honour, decoration, favour, gift or remuneration from any government, or from any other source external to the Organisation, if such acceptance is incompatible with their status as members of a visiting team.

5.4. Choice of the match/sport event observed

A visit under this Convention should always comprise a visit to a sports venue and the attendance of a match or major sport event.

A visit to a stadium/arena during a match shall be organised prior to the match. The team members should have the possibility to assist as observers to the safety and security briefing before the match, to observe ingress and egress from the venue, to

visit the control room and to move around all parts of the venue during the match (away sector, etc.).

The match selected shall present relevant challenges in terms of safety, security and service³ so that the team members can see the procedures in place as regards the management and operation of safety, security and service during such a fixture.

Therefore, it should not be an international friendly match but a football match⁴ of the premier league championship or a match of the European Cups/European or World Cup qualifiers, which will enable the hosting country to benefit afterwards from the best advice.

If deemed useful, the hosts should plan a visit of the team to the city centre, to the places where supporters concentrate, the fan zone or fan park, and the Zone Ex (the External Zone, sometimes also referred to as the 'Last Mile'), preferably by using public transport, in particular to assess the mobility and crowd management issues.

5.5. Establishing the programme of the visit

The programme of the visit shall be prepared by the national authorities and sent to the Secretariat at least four weeks before the visit. It shall comprise different meetings with the relevant national public and private stakeholders. Separate meetings shall be organised with the following stakeholders:

- a meeting with the national coordinating body on safety and security of sports events;
- a meeting with representatives of public authorities responsible for safety and security (often Ministry of Interior), including the NFIP;
- a meeting with representatives of public authorities responsible for sport (often Ministry of Sport);
- separate meetings with the football and other sports authorities: Football Association, Football League, National Olympic Committee and other sports associations;
- a meeting with representatives of one or two clubs: the safety officer, the SLO (Supporter Liaison Officer of the association/club) and the DLO (Disability Liaison Officer);

³ Namely a match between the main teams of the Premier League, a derby match or a national team qualifying match.

⁴ The phrase "football match" used in these Guidelines can be understood as comprising other sports or sports events, when applicable (Article 1.2 of the Convention).

- a meeting with one or several supporter associations or with supporter representatives of the Federation or of the most relevant clubs; and
- a meeting with any other stakeholder that the visiting team/national authorities estimates appropriate, according to the national context, notably members of the Parliament or Government.

The visit should also be an opportunity for the visiting team to meet with the lead governmental authorities, notably for an update on the state of ratification, in the case of Observer States, or implementation of the Convention, in the case of States Parties.

5.6. Briefings before and after the visit

The programme of visits is public. International sports organisations and supporter organisations can submit to the Council of Europe any relevant information on the country concerned, preferably prior to the visit. This information will be compiled by the Secretariat as a complement to the national report provided by the country.

As a preamble to the visit, and before the official programme starts, two meetings are advised:

- a short briefing meeting amongst the members of the visiting team should be organised to exchange on the preliminary available information;
- a meeting between the author(s) of the national report, the national delegate (contact point) and the visiting team to clarify any questions on the report and/or on the programme of the visit.

After those two meetings, the visiting team starts the official programme, holds necessary consultations, meets relevant stakeholders - Ministries and other State authorities, football and other sports authorities, political figures, NGOs, as described above - and carries out on-site visits (e.g., venue/match inspection and public sites).

At the end of the visit, a meeting between the visiting team and the national delegate (contact point) is advised, with the aim to debrief on the visit.

5.7. Media involvement

Sport drives the media coverage. The host country often requests media participation in the context of a monitoring visit. This interest should not be neglected. However, during a visit, the team should not be followed by the press. It is recommended to hold a press conference at the end of the visit, notably to promote the Council of Europe's work, explain the framework of the visit and the monitoring mechanism. The members of the visiting team should refrain from instantly commenting their conclusions and recommendations, except in very general terms.

5.8. Preparation of the final report

After the visit, the visiting team prepares, under the coordination of the rapporteur, a draft visit report generally available within 2 months following the visit. The Secretariat then carries out editorial work on the draft report.

The report of the visit includes a list of recommendations. This list will form the basis on which the country will prepare an action plan. This action plan should assist the national authorities to further implement the Convention.

The Secretariat officially sends the draft report to the national authorities inviting them to comment in general terms on the draft report within 2 months. These official comments should constitute a specific part (Part 3) of the final report.

Where no official comment is received from the hosting country, the Secretariat will consider the draft report as finalised and will submit it to the Committee for adoption.

5.9. Follow-up of the visit and action plan

The Secretariat will circulate the draft report of the visit to the Committee delegations for adoption either by written procedure or at the next meeting of the Committee.

Once the report adopted, the Secretariat will officially send the final report to the Head of Delegation of the country concerned, with copy to the Permanent Representation, inviting him/her to send, within a reasonable delay, a proposed action plan based on the recommendations outlined in the report.

After reception of the report, and based on its recommendations, the State concerned will present an action plan to the Committee within 6 months. Within the 2 years following the visit, it will also present a follow-up report on the action plan, for the Committee to further assess the level of implementation of the Convention.

The examination of the follow-up report on the implementation of the action plan may be complemented, if the Committee deems necessary, by a follow-up visit to the country concerned, to be held within up to 2 years. The findings of this visit should be then the object of a report, in similar terms to the previous one. Where appropriate, this report may propose either further technical assistance or the triggering of a non-compliance action procedure.

Should the Committee reach the conclusion that, despite its efforts, a country remains non-compliant - namely because it did not present an action plan following the final report or did not present a follow-up report, within the delays established above -, the Committee may consider triggering a non-compliance action procedure, foreseen in these Guidelines (see 6.).

5.10. Dispatch and promotion of the final report

The report of the monitoring visit, the action plan and the follow-up report are made public on the Council of Europe Sports website.

With a view to promoting the application of the Convention, the organisation of a high level meeting and/or a press conference can be proposed by the host country and/or the Secretariat to present the report, the proposed conclusions and recommendations.

User-friendly information should be provided to relevant journalists who would be in a position to raise awareness about the recommendations, for example through press releases.

In countries where a Council of Europe field office is present, it should be informed of the publication and encouraged to disseminate it as much as possible.

The hosting country is expected to actively disseminate the results of the monitoring work (in particular, the Committee's reports, the action plan and the follow-up report) at national level making it accessible to a wide audience. It is also encouraged to translate these documents, or at least the main findings, recommendations and measures, into the national language(s).

Furthermore, the hosting country should be encouraged to organise nation-wide dissemination events when the report is issued and to communicate the contents of the action plan and the follow-up report to the relevant stakeholders from national to local levels.

5.11. Technical assistance

Possible technical assistance activities should be envisaged together with the country concerned, with a view to support the country's efforts to implement the Committee's recommendations. Such assistance will be results-oriented, adapted to the country's specific needs and involve different stakeholders and tools available. They will be subject to the availability of financial resources.

5.12. Responsibilities of the hosting country

National authorities of the hosting State shall co-operate to the maximum possible extent throughout the whole monitoring procedure, in the terms of the Convention and within the limits of the national applicable legislation.

a. Practical arrangements during the visit

The Council of Europe's relevant budget will cover the experts' travel and accommodation costs and, when necessary, a consultancy contract for the rapporteur only. The Council of Europe will not cover expenses of experts representing observer States, observer international public and football organisations.

The host country shall be financially responsible for ensuring the local logistics, namely the transportation, organisation of the meetings and interpretation into English or French.

The host country may organise a social event for the visiting team.

In the case of a visit to a non-member State of the Council of Europe, the full costs of the visit shall be borne by the host country.

6. Non-compliance action procedure

All Parties to the Convention, within the limits of their respective constitutional provisions, are obliged to comply with the requirements set forth in the Convention, as stated in its Article 1, paragraph 1.

The Committee is responsible for supervising the application and the implementation of the Convention using the mechanisms described in these Guidelines on Monitoring or any other appropriate means, namely those set forth in Article 12 of the Convention, on the obligation of the Parties to provide the Committee, on a regular basis, with all relevant information for the purpose of complying with commitments.

The non-compliance action procedure comprises the following stages:

1. Whenever the Committee gets sufficient evidence, through its monitoring mechanism and if possible combined with other sources from relevant stakeholders, that a Party does not comply with the requirements set forth in the Convention, it shall ask the Advisory Group on Monitoring (T-S4 MON) to activate a procedure for non-compliance.
2. The Committee, through the Chair, shall notify the Party's Head of Delegation to the Committee about the non-compliance issue(s), in the manner to be decided by the Committee, and request for corrective action(s) to be taken, within a specified deadline.

If the Party answers and remedied the non-compliance issue(s), the Committee will stop its procedure at this stage.

3. If no response is received and/or the Party continues not to comply after the second notification deadline, the Chair, on behalf of the Committee, shall notify the Permanent Representation of the Party to the Council of Europe of the non-compliance issue(s) and the actions taken by the Committee.

The notification shall inform about the non-compliance namely with regard to:

- a. lack of submission of information, as set forth in Article 12; and/or
- b. lack of implementation of the provisions of the Convention.

The Permanent Representation shall be requested to react within 3 months.

As from the date of notification of the Permanent Representation of the Party to the Council of Europe (or the head of delegation, in case there is no Permanent Representation), no representative of the Party may be eligible for the position of Chair or Vice-Chair of the Committee, Chair of the Advisory and Ad hoc Groups, or take part in the visiting teams.

If the Party has remedied the non-compliance issue(s), the Committee will notify the Party, the Permanent Representation for its reinstatement, and any restrictions or other sanction(s) that were imposed as a result of the non-compliance of the Party will be waived.

4. The Committee may report the Party's non-compliance issue(s) to the Committee of Ministers of the Council of Europe.

The Committee of Ministers may take additional action(s) in its discretion.

The T-S4 Committee will follow the recommendation of the Committee of Ministers.

A flowchart of the non-compliance action procedure is presented in Annex of these Guidelines.

7. Final remarks

The monitoring pillar is one of the key assets of the Council of Europe in promoting Human Rights, Rule of Law and Democracy values, provisions and standards.

In terms of historic background, it is very important that the delegates of the Committee of the Saint-Denis Convention ("T-S4 Committee") are aware of the context in which the Spectator Violence and the Saint-Denis Conventions operate and how the monitoring mechanism was organised under the Spectator Violence Convention, drawing lessons in order to adopt a modern and effective monitoring mechanism.

The commitment and active involvement of States Parties and Observers to the T-S4 Committee in the different areas of monitoring are key factors for the success of the monitoring mechanism under the Saint-Denis Convention, which is a *conditio sine qua non* for both its effective implementation and for the results to achieve a maximum impact and visibility.

Non-compliance action procedure

Flowchart

Step1	Whenever the Committee gets sufficient evidence, through its monitoring mechanism and possibly combined with other sources from relevant stakeholders, that a Party does not comply with the requirements set forth in the Convention, it may ask the Advisory Group on Monitoring to activate a procedure for non-compliance. The Committee shall take this decision by consensus or, if a consensus is not reached, by a majority of the votes cast.
Examples	Country X hasn't filled out the questionnaire for 3 consecutive times. Country Y doesn't comply with the provisions of the Convention, observation made as a result of a monitoring visit or a follow-up visit. Country Z hasn't given any follow-up to the monitoring visit held 2 years ago.



Step 2	The Committee, through its Chair, shall notify the Party's Head of Delegation about the non-compliance issue(s) and request for corrective action(s) to be taken.
Examples	Country X is requested to fill out the questionnaire within 6 months. Country Y is requested to send its action plan filled out, following the recent monitoring visit held in its country, within 2 months. Country Z is requested to send a follow-up report, that should be provided 2 years after the monitoring visit.

If the Party responds and the Advisory Group is satisfied with the explanations given/action taken, the Committee will stop its procedure at this stage.



<p>Step 3</p>	<p>If no response is received and/or the Party continues not to comply after the second notification deadline, the Chair, on behalf of the Committee, shall notify the Permanent Representation of the Party to the Council of Europe of the non-compliance issue(s) and the actions taken by the Committee.</p> <p>The notification shall inform about the non-compliance with regard to:</p> <ul style="list-style-type: none"> a. lack of submission of information as set forth in Article 12; and/or b. lack of implementation of the provisions of the Convention, <p>and give a deadline to the Permanent Representation to react within 3 months.</p>
<p>Examples</p>	<p>At this stage, no representative of the Countries X or Y or Z Party may be eligible for the position of Chair or Vice-Chair of the Committee, Chair of the Advisory and Ad hoc Groups, or take part in the visiting teams.</p>

If the Party that was declared non-compliant with the requirements set in the Convention has remedied the non-compliance issue(s), the Committee will notify the Permanent Representation of the Party to the Council of Europe for its reinstatement, and any restrictions or other sanction(s) that were imposed as a result of the non-compliance of the Party will be waived.



<p>Step 4</p>	<p>The Committee may report the Party's non-compliance issue(s) to the Committee of Ministers of the Council of Europe.</p> <p>The Committee of Ministers may take additional action(s) in its discretion.</p>
<p>Examples</p>	<p>The T-S4 Committee will follow the recommendation of the Committee of Ministers.</p>