

The Saint-Denis Convention: reconciling security and human rights



Paulo Gomes

Secretary of the Saint-Denis Convention



Marie-Françoise Glatz

Secretary of the Saint-Denis Convention

How can we ensure the protection and promotion of fundamental rights and public freedoms at football matches and other sporting events in Europe and around the world? Let's explore the response provided the Saint-Denis Convention, with its integrated, multi-institutional approach.

I. The right response to the challenges of the 21ST century

The Convention on an Integrated Approach to Safety, Security and Services at Matches and other Sports Events (Saint-Denis Convention - CETS No. 218) is the culmination of three decades of work at international level since the adoption of the European Convention on Spectator Violence in 1985. It was opened for signature on 3 July 2016 at the Stade de France in Saint-Denis, on the occasion of the UEFA EURO 2016 quarter-final match. To date, 31 States Parties - Serbia was the most recent - have ratified the Convention and 8 States have signed it, in addition to European Union, which has participant status, and other States, sports and police organisations, athletes, artists and supporters, which have observer status.

This Convention is the only binding international instrument that establishes institutional cooperation between all stakeholders involved in the organisation of professional football matches and other sporting events. It is an open convention, meaning that any non-member state of the Council of Europe can also join.

II. An innovative integrated approach

The aim of this Convention is to move away from a traditional approach, centred on the management of violence and spectator excesses, towards an integrated approach based around three interdependent pillars - safety, security and services - and multi-institutional, i.e. one that encourages cooperation between all public and private stakeholders - including the local population and supporters - involved in organising safe, secure and welcoming sporting events.

It prescribes measures based on the highest standards developed in Europe. Its scope covers all measures aimed at ensuring appropriate conditions of safety, security and services for all participants in events.

This includes fans, stadium security staff, police, firefighters, medical staff, players, referees, journalists, volunteers and communities and businesses in the vicinity of the stadium that are affected by the sporting event.

The Convention aims to ensure that sporting events are safe, secure and welcoming. To this end, it strikes the necessary balance between preventive, dissuasive and repressive measures, working in partnership with all the relevant stakeholders and focusing on the protection of the rights and freedoms of all participants, including spectators.

One of the main causes of the major tragedies that have occurred at major sporting events for over a century is the disproportion between safety measures to the detriment of security measures and, in particular, services, which often also means that there has been an imbalance between safety concerns and the protection of fundamental freedoms.

III. A Convention that protects human rights

The Saint-Denis Convention is based on and oriented towards human rights. It ensures the protection and

promotion of a number of fundamental rights and freedoms enshrined in the European Convention on Human Rights (ECHR), which is the cornerstone of the Council of Europe's entire conventional edifice.

A. General framework

Football matches and other sporting events often attract thousands of fans to a single stadium or specific venue.

These large crowds are often galvanised by the high stakes and emotion inherent in sporting competitions, which on the one hand promotes the values of sport, but on the other hand increases the risk associated with human rights and fundamental freedoms.

In order to promote and protect the fundamental rights and freedoms of all participants in

"The Saint-Denis Convention is based on and oriented towards human rights."



sporting events, the Saint-Denis Convention contains provisions on this subject.

At the same time, the European Court of Human Rights has handed down a number of rulings in recent years on issues relating to human rights in sport. Some of these cases focus more specifically on issues relating to safety, security and non-discrimination at sporting events (see below for the Court's case law on sport and human rights).

B. The challenges of protecting human rights in sport

In context of organising major sporting events, issues relating to the human rights of all participants deserve particular attention. It is essential that human rights considerations are an integral part of the whole process of thinking about and putting on a sporting event, from the bidding and planning phase through to the final evaluation of the event.

In recent years, governments and civil society have expressed concern that hosting major international sporting events can give a semblance of respectability to states with little regard for human rights. The organisation of major sporting events by some of these states can, on the contrary, contribute to worsening the situation in the country, whether in terms of workers' rights, discrimination, transnational organised crime, minority rights or even freedom of the press and freedom of association.

The European Sports Charter and the Council of Europe's sports conventions aim to protect and promote respect for human rights and the fundamental freedoms of participants. In particular, the Saint-Denis Convention aims to protect all participants in sports events, notably by ensuring the right to life, the right to liberty and security and the prohibition of discrimination, both inside and outside sports venues (throughout the event, from start to finish).

A diverse demographic in the stands and in the various security, safety and service professions is a prerequisite for a safer, more secure and more welcoming sporting event.

C. Human rights in the preamble to the Saint-Denis Convention

The preamble to the Saint-Denis Convention affirms the In this context, it is important to emphasise the "right of individuals to physical integrity and their legitimate aspiration to attend football matches and other sporting events without fear of violence, disturbance of the peace or other criminal activities".

It also specifies "the need to preserve the rule of law in sports arenas", as well as in the vicinity of stadium access roads and any other areas frequented by several thousand spectators.

Finally, it is recalled that "sport, as well as all bodies and stakeholders involved in the organisation and management of a football match or other sporting event, must uphold the fundamental values of the Council of Europe, such as social cohesion, tolerance, respect and non-discrimination".

D. The Convention's human rights provisions

The general philosophy of the Saint-Denis Convention, as well as that of Recommendation T-S4 Rec(2021)¹ of the Saint-Denis Committee, is to prevent any infringement of human rights. The implementation of "safety measures", the main objective of which is to protect the health and well-being of all persons attending a sporting event, as well as security measures, the main objective of which is prevent, reduce the risk of and/or deal with any act of violence on the occasion of a sporting event, are essential to ensure respect for human rights.

The sanctions to be applied, whether of a criminal, administrative or commercial nature, must be appropriate, individualised and proportionate, applied in good time and publicised as far as possible, so that they can be perceived by the whole community as fair and have a general and special preventive effect.

Public and sporting authorities must work together to develop a comprehensive strategy and effective measures to prevent and combat racism, hate speech and other forms of discrimination in sport and at sporting events. Sport must be based on and oriented towards human rights and fundamental human values. Sport must be seen as a powerful tool to promote and reinforce these rights and values.

"The Saint-Denis Convention aims to protect the rights and freedoms of all participants."

Public and sporting authorities must guarantee all conditions to ensure access for all to sporting events. Sport must promote inclusiveness, pluralism and diversity, including among security and safety personnel in sports venues and among spectators.

Accessibility is a fundamental right and, as a result, the authorities responsible must ensure that the infrastructure is adapted and that sports venues are inclusive.

IV. The Saint-Denis Convention and the European Court of Justice human rights

All the rights defended by the European Court of Human Rights can, one way or another, be linked to the sporting context. There are many examples of human rights issues relating to doping, the conduct of sporting competitions, the functioning and governance of sports organisations, the training and working conditions of athletes, organisation of sporting competitions, the protection of the rights of security and safety personnel in sports venues, the management of fan behaviour, interference in the private lives of individuals and discrimination in sport.

In recent years, several cases relating to safety, security and non-discrimination in sports arenas have been decided by the European Court of Human Rights. The decisions handed down by the Court concern various articles of the European Convention on Human Rights, which are particularly important and relevant in the field of sport.

The following articles are worth noting:

- Article 2: Right to life
- Article 3: Prohibition of torture
- Article 5: Right to liberty and security
- Article 10: Freedom expression
- Article 11: Freedom of assembly and association
- Article 14: Prohibition of discrimination
- Article 4 of Protocol No. 7: right not to be tried or punished twice (see *Velkov v. Bulgaria*¹ and *Serazin v. Croatia*).

V. Challenges and future developments

The Comité de Saint-Denis faces new challenges in responding to the issues facing our societies, in particular: issues of inclusion, diversity and accessibility.

"The balance between safety and freedom is essential to respect human rights."

of spectators and other participants; the specificities women's sports events; the legal and illegal use of pyrotechnic devices and other prohibited objects, such as drones; the issues of licensing and inspection of sports facilities and the quality of their operators; the management of large gatherings of supporters in city centres (fan zones); or the impact of artificial intelligence and new technologies on the safety and security of these events, particularly on the fundamental rights of participants, such as their right to protection of personal data and privacy.

States and international sports authorities are increasingly concerned with human rights issues organising major sporting events. A good recent example was the signing by the Federal Government of Germany and UEFA of a Human Rights Declaration for UEFA EURO 2024¹, which can be considered as very good practice to be adopted on the occasion a major sporting event. Annex 1 of this declaration includes a list of risks, measures and bodies responsible for preventing and mitigating human rights violations, which include security, safety, discrimination and abuse in health and work, diversity, accessibility and inclusion, freedom expression and freedom of the press.

VI. In conclusion

Finally, it should be remembered that every season, professional football matches attract an average of around 150 million spectators to stadiums across Europe, involving around 2 million police officers and security staff.

On average, incidents are reported at around 43% of professional football matches, not to the incidents that are increasingly occurring outside stadiums.

Recent major incidents and near misses, such as serious violence resulting in the death of supporters, a sharp increase in racist insults, and incidents on the pitch involving players and referees, show that there is still a long way to go before the situation is resolved.

¹Human Rights Declaration for UEFA EURO 2024, https://www.bmi.bund.de/SharedDocs/downloads/EN/veroeffentlichungen/2024/human-rights-declaration-pdf?__blob=publicationFile&v=7.

There is still a long way to go in implementing the principles and standards of the Saint-Denis Convention. National governments and European authorities have a key role to play. and national football authorities are responsible for to learn from them and do their utmost to prevent major incidents in the future and to ensure that the human rights and fundamental freedoms of all participants are respected, protected and further promoted at sporting events.

Useful links about the Saint-Denis Convention

Site sport², page dedicated to the Saint Denis Convention Texte FR³et rapport explicatif⁴ de la Convention
Status of signatures⁵and ratifications of the Convention Three recommendations⁶adopted by the Country Profile Committee⁷of the States Parties
16 fact ⁸to explain the Convention to the general public
Two free online courses (MOOC) on sport:
– The Saint-Denis Convention⁽⁹⁾(EN, PL, PT)
– Human Rights and Sport⁽¹⁰⁾(EN, FR, RU, SP) Case law of the European Court of Human Rights⁽¹¹⁾(sport)

² <https://www.coe.int/fr/web/sport/safety-security-and-service-approach-convention>.

³ <https://rm.coe.int/1680666d0c>.

⁴ <https://rm.coe.int/168071edc8>.

⁽⁵⁾ <https://www.coe.int/fr/web/conventions/full-list/module=signatures-by->

⁶ <https://www.coe.int/fr/web/sport/t-s4-recommendations>.

⁷ <https://www.coe.int/fr/web/sport/interactive-map-with-country-profiles>.

⁸ <https://www.coe.int/fr/web/sport/factsheets>.

⁹ <https://rm.coe.int/prems-060019-gbr-2586-flyers-pros4-16x16/1680945ca1>.

¹⁰ <https://www.coe.int/fr/web/sport/-/new-council-of-europe-help-course->

¹¹ <https://www.echr.coe.int/fr/factsheets>.

A better understanding of the three Ss of the Convention

The Convention establishes definitions to help better understand the concepts of security, safety and services:

- The concept of **safety** covers all measures aimed at preventing people from being injured or exposed to risks to their health or well-being at sporting events. These measures include stadium infrastructure and certification, emergency response plans and rules on the consumption of alcohol. Security measures also serve to protect individuals as they travel to the event and in public viewing areas outside the stadiums.
- The concept of **security** includes all measures designed to prevent, deter and punish any violence or disorder at football matches or other sporting events, both inside and outside stadiums. These measures include risk assessment, cooperation between the police and other relevant bodies and the introduction of sanctions.
- The concept of **service** covers measures aimed at making football matches and other sporting events pleasant and welcoming for everyone, not only in stadiums but also in public areas where spectators and supporters gather before, during and after matches. This notion includes material elements such as catering and sanitary facilities, but focuses above all on the way spectators are welcomed and treated throughout the event.