

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



Legal
instruments

Saint-Denis (France)
3.VII.2016

CETS No. 218
and explanatory report

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events

Preamble

The member States of the Council of Europe and the other States Parties to the European Cultural Convention (ETS No. 18), signatories hereto,

Considering that the aim of the Council of Europe is to achieve greater unity among its members;

Concerned with the right to physical integrity and the legitimate expectation of individuals to attend football matches and other sports events without fear of violence, public disorder or other criminal activity;

Concerned to make football matches and other sports events enjoyable and welcoming for all citizens while also recognising that creating a welcoming environment can have a significant and positive impact on safety and security at such events;

Concerned with the need to promote the inclusion of all stakeholders in providing a safe environment at football matches and other sports events;

Concerned with the need to maintain the rule of law in and within the vicinity of football and other sports stadiums, on transit routes to and from the stadiums and in other areas frequented by many thousands of spectators;

Recognising that sport, and all agencies and stakeholders involved in organising and managing a football match or other sports event, must uphold core values of the Council of Europe, such as social cohesion, tolerance, respect and non-discrimination;

Recognising variations among States regarding their constitutional, judicial, cultural and historical circumstances, and the character and severity of safety and security problems associated with football matches and other sports events;

Recognising the need to take full account of national and international legislation on matters such as data protection, rehabilitation of offenders and human rights;

Recognising that a wide range of public and private agencies and other stakeholders, including spectators, have a shared objective in making football matches and other sports events safe, secure and welcoming for individuals and recognising that their collective actions will necessarily comprise a range of interrelated and overlapping measures;

Recognising that the overlapping character of these measures requires the relevant agencies to develop effective international, national and local partnerships in order to prepare and deliver an integrated and balanced multi-agency approach to safety, security and service in connection with football matches and other sports events;

Recognising that events outside of sports stadiums can have a direct impact on events inside the stadiums and vice versa;

Recognising that consultation with key stakeholders, especially supporters and local communities, can assist the relevant agencies in reducing the risks to safety and security and in creating a welcoming atmosphere inside and outside of stadiums;

Being resolved to take common and co-operative action to reduce the risks to safety and security at football matches and other sports events in order to provide an enjoyable experience for spectators, participants and local communities;

Building upon the content of the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120), opened for signature in Strasbourg on 19 August 1985 (hereafter "Convention No. 120");

Taking into account that extensive European experience and good practices has resulted in the development of a new integrated and partnership approach towards the safety and security of spectators, reflected in particular in the Recommendation Rec (2015) 1 on Safety, Security and Service at Football Matches, and other Sports Events, adopted by the Standing Committee of the Convention No. 120 at its 40th meeting on 18 June 2015,

Have agreed as follows:

Article 1 – Scope

1. The Parties shall, within the limits of their respective constitutional provisions, take the necessary steps to give effect to the provisions of this Convention in respect of football matches or tournaments played in their territory by professional football clubs and national teams.
2. The Parties may apply the provisions of this Convention to other sports or sports events hosted in their territory, including non-professional football matches, especially in circumstances where safety or security risks are involved.

Article 2 – Aim

The aim of this Convention is to provide a safe, secure and welcoming environment at football matches and other sports events. To that end, the Parties shall:

- a. adopt an integrated, multi-agency and balanced approach towards safety, security and service, based upon an ethos of effective local, national and international partnerships and co-operation;
- b. ensure that all public and private agencies, and other stakeholders, recognise that safety, security and service provision cannot be considered in isolation, and can have a direct influence on delivery of the other two components;
- c. take account of good practices in developing an integrated approach to safety, security and service.

Article 3 – Definitions

For the purposes of this Convention, the terms:

- a. “safety measures” shall mean any measure designed and implemented with the primary aim of protecting the health and well-being of individuals and groups who attend, or participate in, a football match or other sports event, inside or outside of the stadium, or who reside or work in the vicinity of the event;

- b.* “security measures” shall mean any measure designed and implemented with the primary aim of preventing, reducing the risk and/or responding to any violence or other criminal activity or disorder committed in connection with a football or other sports event, inside or outside of a stadium;
- c.* “service measures” shall mean any measure designed and implemented with the primary aim of making individuals and groups feel comfortable, appreciated and welcome when attending a football match or other sports event, inside or outside of a stadium;
- d.* “agency” shall mean any public or private body with a constitutional, legislative, regulatory or other responsibility in respect of the preparation and implementation of any safety, security or service measure in connection with a football match or other sports event, inside or outside of a stadium;
- e.* “stakeholder” shall mean spectators, local communities or other interested parties who do not have legislative or regulatory responsibilities but who can play an important role in helping to make football matches or other sports events safe, secure and welcoming, inside and outside of stadiums;
- f.* “integrated approach” shall mean recognition that, irrespective of their primary purpose, safety, security and service measures at football matches and other sports events invariably overlap, are interrelated in terms of impact, need to be balanced and cannot be designed or implemented in isolation;
- g.* “multi-agency integrated approach” shall mean recognition that the roles and actions of each agency involved in football or other sports planning and operational activities must be co-ordinated, complementary, proportionate and designed and implemented as part of a comprehensive safety, security and service strategy;
- h.* “good practices” shall mean measures applied in one or more countries that have proven to be very effective in meeting the stated aim or objective;
- i.* “relevant agency” shall mean a body (public or private) involved in the organisation and/or management of a football match or other sports event held inside or outside of a sports stadium.

Article 4 – Domestic co-ordination arrangements

1. The Parties shall ensure that national and local co-ordination arrangements are established for the purpose of developing and implementing a multi-agency integrated approach to safety, security and service at national and local level.

2. The Parties shall ensure that co-ordination arrangements are established to identify, analyse and evaluate the risks pertaining to safety, security and services, and to allow the sharing of updated information on risk assessment.

3. The Parties shall ensure that the co-ordination arrangements involve all key public and private agencies responsible for safety, security and service matters connected with the event, both inside and outside of the venue where the event is taking place.

4. The Parties shall ensure that the co-ordination arrangements take full account of the safety, security and service principles set out in this Convention and that national and local strategies are developed, regularly evaluated and refined in the light of national and international experience and good practices.

5. The Parties shall ensure that national legal, regulatory or administrative frameworks clarify the respective roles and responsibilities of the relevant agencies and that these roles are complementary, consistent with an integrated approach and widely understood at strategic and operational levels.

Article 5 – Safety, security and service in sports stadiums

1. The Parties shall ensure that national legal, regulatory or administrative frameworks require event organisers, in consultation with all partner agencies, to provide a safe and secure environment for all participants and spectators.

2. The Parties shall ensure that the competent public authorities put in place regulations or arrangements to guarantee the effectiveness of stadium licensing procedures, certification arrangements and safety regulations in general and ensure their application, monitoring and enforcement.

3. The Parties shall require the relevant agencies to ensure that stadium design, infrastructure and associated crowd management arrangements comply with national and international standards and good practices.

4. The Parties shall encourage the relevant agencies to ensure that stadiums provide an inclusive and welcoming environment for all sections of society, including children, the elderly and those with disabilities, and incorporate, in particular, the provision of appropriate sanitary and refreshment facilities and good viewing conditions for all spectators.

5. The Parties shall ensure that stadiums' operating arrangements are comprehensive; make provision for effective liaison with the police, emergency

services and partner agencies; and incorporate clear policies and procedures on matters that might impact on crowd management and associated safety and security risks, in particular:

- the use of pyrotechnics;
- any violent or other prohibited behaviour; and
- any racist or other discriminatory behaviour.

6. The Parties shall require the relevant agencies to ensure that all personnel, from the public or private sectors, involved in making football matches and other sports events safe, secure and welcoming are equipped and trained to fulfil their functions effectively and in an appropriate manner.

7. The Parties shall encourage their competent agencies to highlight the need for players, coaches or other representatives of participating teams to act in accordance with key sporting principles, such as tolerance, respect and fair play, and recognise that acting in a violent, racist or other provocative manner can have a negative impact on spectator behaviour.

Article 6 – Safety, security and service in public places

1. The Parties shall encourage all agencies and stakeholders involved in organising football matches and other sports events in public spaces, including the municipal authorities, police, local communities and businesses, supporter representatives, football clubs and national associations, to work together, notably in respect of:

- a. assessing risk and preparing appropriate preventative measures designed to minimise disruption and provide reassurances to the local community and businesses, in particular those located in the vicinity of where the event is taking place or public viewing areas;
- b. creating a safe, secure and welcoming environment in public spaces that are designated for supporters to gather before and after the event, or locations in which supporters can be expected to frequent of their own volition, and along transit routes to and from the city and/or to and from the stadium.

2. The Parties shall ensure that risk assessment and safety and security measures take account of the journey to and from the stadium.

Article 7 – Contingency and emergency planning

The Parties shall ensure that multi-agency contingency and emergency plans are developed, and that those plans are tested and refined in regular joint exercises. National legal, regulatory or administrative frameworks shall make clear which agency is responsible for initiating, supervising and certifying the exercises.

Article 8 – Engagement with supporters and local communities

1. The Parties shall encourage all agencies to develop and pursue a policy of proactive and regular communication with key stakeholders, including supporter representatives and local communities, based on the principle of dialogue, and with the aim of generating a partnership ethos and positive co-operation as well as identifying solutions to potential problems.

2. The Parties shall encourage all public and private agencies and other stakeholders, including local communities and supporter representatives, to initiate or participate in multi-agency social, educational, crime-prevention and other community projects designed to foster mutual respect and understanding, especially among supporters, sports clubs and associations as well as agencies responsible for safety and security.

Article 9 – Police strategies and operations

1. The Parties shall ensure that policing strategies are developed, regularly evaluated and refined in the light of national and international experience and good practices, and are consistent with the wider, integrated approach to safety, security and service.

2. The Parties shall ensure that policing strategies take account of good practices including, in particular: intelligence gathering, continuous risk assessment, risk-based deployment, proportionate intervention to prevent the escalation of risk or disorder, effective dialogue with supporters and the wider community, and evidence gathering of criminal activity as well as the sharing of such evidence with the competent authorities responsible for prosecution.

3. The Parties shall ensure that the police works in partnership with organisers, supporters, local communities and other stakeholders in making football matches and other sports events safe, secure and welcoming for all concerned.

Article 10 – Prevention and sanctioning of offending behaviour

1. The Parties shall take all possible measures to reduce the risk of individuals or groups participating in, or organising incidents of violence or disorder.
2. The Parties shall, in accordance with national and international law, ensure that effective exclusion arrangements, appropriate to the character and location of risk, are in place to deter and prevent incidents of violence or disorder.
3. The Parties shall, in accordance with national and international law, co-operate in seeking to ensure that individuals committing offences abroad receive appropriate sanctions, either in the country where the offence is committed or in their country of residence or citizenship.
4. Where appropriate, and in accordance with national and international law, the Parties shall consider empowering the judicial or administrative authorities responsible to impose sanctions on individuals who have caused or contributed to incidents of football-related violence and/or disorder, with the possibility of imposing restrictions on travel to football events held in another country.

Article 11 – International co-operation

1. The Parties shall co-operate closely on all matters covered by this Convention and related matters, in order to maximise collaboration in respect of international events, share experiences and participate in the development of good practices.
2. The Parties shall, without prejudice to existing national provisions, in particular the allocation of powers among the different services and authorities, set up or designate a National Football Information Point within the police force (NFIP). The NFIP shall:
 - a. act as the direct and single contact point for exchanging general (strategic, operational and tactical) information in connection with a football match with an international dimension;
 - b. exchange personal data in accordance with the applicable domestic and international rules;
 - c. facilitate, co-ordinate or organise the implementation of international police co-operation in connection with football matches with an international dimension;
 - d. be capable of fulfilling efficiently and promptly the tasks assigned to it.

3. The Parties shall further ensure that the NFIP provides a national source of expertise regarding football policing operations, supporter dynamics and associated safety and security risks.

4. Each State Party shall notify the Committee on Safety and Security at Sports Events, created by this Convention, in writing, of the name and contact details of its NFIP, and any subsequent changes with regard to it.

5. The Parties shall co-operate at international level in respect of sharing good practices and information on preventative, educational and informative projects and the establishment of partnerships with all agencies involved in the delivery of national and local initiatives, focused on or driven by the local community and supporters.

Procedural Clauses

Article 12 – Provision of information

Each Party shall forward to the Committee on Safety and Security at Sports Events, 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.

Article 13 – Committee on Safety and Security at Sports Events

1. For the purposes of this Convention, the Committee on Safety and Security at Sports Events is hereby established.

2. Any Party to this Convention may be represented on the committee by one or more delegates representing lead governmental agencies, preferably with responsibility for sport safety and security, and the NFIP. Each Party to this Convention shall have one vote.

3. Any member State of the Council of Europe or other State Party to the European Cultural Convention which is not a Party to this Convention, as well as any non-member State which is a Party to Convention No. 120, may be represented on the committee as an observer.

4. The committee may, by unanimous decision, invite any non-member State of the Council of Europe which is not a Party to this Convention or to

Convention No. 120 and any organisation interested in being represented to be an observer at one or more of its meetings.

5. The committee shall be convened by the Secretary General of the Council of Europe. Its first meeting shall be held within one year of the date on which ten member States of the Council of Europe have expressed their consent to be bound by the Convention. It shall subsequently meet at least every year after its first meeting. In addition it shall meet whenever a majority of the Parties so request.

6. A majority of the Parties shall constitute a quorum for holding a meeting of the committee.

7. Subject to the provisions of this Convention, the committee shall draw up and adopt by consensus its own rules of procedure.

Article 14 – Functions of the Committee on Safety and Security at Sports Events

1. The committee shall be responsible for monitoring the application of this Convention. It may in particular:

- a. keep under review the provisions of this Convention and examine any necessary modifications;
- b. hold consultations and, where appropriate, exchange information with relevant organisations;
- c. make recommendations to the Parties to this Convention concerning measures to be taken for its implementation;
- d. recommend the appropriate measures to keep the public informed about the activities undertaken within the framework of this Convention;
- e. make recommendations to the Committee of Ministers concerning non-member States of the Council of Europe to be invited to accede to this Convention;
- f. make any proposal for improving the effectiveness of this Convention;
- g. facilitate the collection, analysis and exchange of information, experience and good practices between States.

2. 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.

3. The committee shall also gather the information provided by States Parties according to Article 12, and transmit relevant data to all States Parties of the Convention. It may in particular inform each State Party about the nomination of a new NFIP, and circulate its contact details.

4. In order to discharge its functions, the committee may, on its own initiative, arrange for meetings of groups of experts.

Article 15 – Amendments

1. Amendments to this Convention may be proposed by a Party, the Committee on Safety and Security at Sports Events or the Committee of Ministers of the Council of Europe.

2. Any proposal for amendment shall be communicated by the Secretary General of the Council of Europe to the member States of the Council of Europe, to the other States Parties to the European Cultural Convention, to any non-member State of the Council of Europe having acceded to Convention No. 120 prior to the date of opening for signature of this Convention and to every non-member State which has acceded to or has been invited to accede to this Convention in accordance with the provisions of Article 18.

3. Any amendment proposed by a Party or the Committee of Ministers shall be communicated to the committee at least two months before the meeting at which it is to be considered. The committee shall submit its opinion on the proposed amendment to the Committee of Ministers.

4. The Committee of Ministers shall consider the proposed amendment and any opinion submitted by the committee and may adopt the amendment by the majority provided for in Article 20.d of the Statute of the Council of Europe.

5. The text of any amendment adopted by the Committee of Ministers in accordance with paragraph 4 of this article shall be forwarded to the Parties for acceptance in accordance with their respective internal procedures.

6. Any amendment adopted in accordance with paragraph 4 of this article shall come into force on the first day of the month following the expiration of a period of one month after all Parties have informed the Secretary General of their acceptance thereof.

Final Clauses

Article 16 – Signature

1. This Convention shall be open for signature by the member States of the Council of Europe, the States Parties to the European Cultural Convention and any non-member State of the Council of Europe having acceded to the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120), opened for signature in Strasbourg on 19 August 1985, prior to the date of opening for signature of this Convention.
2. This Convention is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.
3. No State Party to Convention No. 120 may deposit its instrument of ratification, acceptance or approval unless it has already denounced the said Convention or denounces it simultaneously.
4. When depositing its instrument of ratification, acceptance or approval in accordance with the preceding paragraph, a Contracting State may declare that it will continue to apply Convention No. 120 until the entry into force of this Convention according to the provisions of Article 17, paragraph 1.

Article 17 – Entry into force

1. The Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date on which three member States of the Council of Europe have expressed their consent to be bound by the Convention in accordance with the provisions of Article 16.
2. In respect of any Signatory State which subsequently expresses its consent to be bound by it, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 18 – Accession by non-member States

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe, after consulting the Parties, may invite any non-member State of the Council of Europe to accede to the Convention by a decision taken by the majority provided for in Article 20.d of the Statute of

the Council of Europe and by the unanimous vote of the representatives of the Contracting States entitled to sit on the Committee of Ministers.

2. In respect of any acceding State, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of the deposit of the instrument of accession with the Secretary General of the Council of Europe.

3. A Party which is not a member State of the Council of Europe shall contribute to the financing of the Committee on Safety and Security at Sports Events in a manner to be decided by the Committee of Ministers.

Article 19 – Effects of the Convention

1. In relations between a Party to this Convention and a Party to Convention No. 120 which has not ratified this Convention, Articles 4 and 5 of Convention No. 120 shall continue to apply.

2. After the entry into force of this Convention, if a State has denounced Convention No. 120 but such denunciation is not yet effective at the time of ratification of this Convention, this Convention shall apply according to the provisions of Article 17, paragraph 2.

Article 20 – Territorial application

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.

2. Any Party may, at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory specified in the declaration. In respect of such a territory, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of receipt of said declaration by the Secretary General.

3. Any declaration made under the two preceding paragraphs may, in respect of any territory mentioned in the declaration, be withdrawn by a notification addressed to the Secretary General. This withdrawal shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 21 – Denunciation

1. Any Party may, at any time, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.
2. This denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 22 – Notifications

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, the other States Parties to the European Cultural Convention and any State which has acceded to this Convention, of:

- a.* any signature in accordance with Article 16;
- b.* the deposit of any instrument of ratification, acceptance, approval or accession in accordance with Articles 16 or 18;
- c.* any date of entry into force of this Convention in accordance with Articles 17 and 18;
- d.* any proposal for amendment or any amendment adopted in accordance with Article 15 and the date on which the amendment comes into force;
- e.* any declaration made under the provisions of Article 20;
- f.* any denunciation made in pursuance of the provisions of Article 21;
- g.* any other act, declaration, notification or communication relating to this Convention.

Explanatory report

1. The Committee of Ministers of the Council of Europe took note of this explanatory report on 27 April 2016 at the 1254th meeting of the Ministers' Deputies.
2. The text of this explanatory report does not constitute an instrument providing an authoritative interpretation of the Convention, although it might be of such a nature as to facilitate the application of the provisions contained therein.

I. Introduction

3. Sport is the one activity organised on a non-governmental basis in Europe which attracts more spectators, and generates more positive and negative passions and behaviour, than any other. Sport is also one of the most widely covered subjects in the press and broadcast media.
4. Incidents of violence, disorder and other misbehaviour have long been associated with football, the world's leading spectator sport. However, in the 1980s, a number of high-profile incidents of violence and disorder associated with international football matches and tournaments demonstrated that the problem of football hooliganism was a Europe-wide phenomenon which required a European institutional response by the Council of Europe. The challenge for the Council of Europe was, and remains, how to spread its core values in and through sport while preventing and countering behaviour (violence, doping, manipulation of competitions, etc.) that threatened the integrity of football, other sports and the wider community.
5. In 1983, the Parliamentary Assembly prepared a recommendation¹ which placed the prevention of violence in sport within a broader framework of measures to reduce violence in society, and urged the Committee of Ministers to prepare a European convention to counter this phenomenon.

1. Parliamentary Assembly Recommendation 963 (1983) on "Cultural and educational means of reducing violence".

6. Along with this request, a range of serious incidents, in particular the Heysel disaster in May 1985,² reinforced the need to create a binding response to the phenomenon of hooliganism and other football-related violence.

European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120, 1985)

7. The European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (hereafter “Convention No. 120”) was drawn up very quickly and opened for signature on 19 August 1985. The Convention entered into force on 1 November 1985 and has been ratified since then by 42 States Parties.

8. Convention No. 120 focused on preventing, deterring and responding to incidents of violence and misbehaviour inside or within the vicinity of stadiums. Inevitably, the content reflected the views and practices of that era, comprising a range of security provisions designed to control crowds through measures like the use of barriers and fencing, the deployment of public order resources and forces, etc.

Desirability of updating Convention No. 120

9. Over the past decade it has become increasingly apparent that the content of Convention No. 120 is inconsistent with, and in some respects contradictory to, the approach and good practices established in recent years. Indeed, the application of the Convention was widely considered to be inappropriate, and it was felt that some provisions potentially exacerbated rather than countered the ongoing threat of violence and disorder, especially but not exclusively in connection with football matches.

10. At the 12th Council of Europe Conference of Ministers responsible for Sport, held in Belgrade in March 2012, it was proposed that the Standing Committee of Convention No. 120 (hereafter “the Standing Committee”) should study the extent to which it is necessary to update the European Convention on Spectator Violence. This proposal was agreed by the Committee of Ministers in June 2012 (cf. CM/Del/Dec(2012)1145/8.1).

2. Violent incidents between Liverpool fans and Juventus fans led to 39 deaths and more than 600 injured people inside the Heysel Stadium in Brussels, just before the beginning of the 1985 European Cup Final.

11. A study on the merits and desirability of updating Convention No. 120 was duly undertaken and submitted to the Committee of Ministers in December 2013 (cf. CM/Del/Dec(2013)1187/8.3). The study concluded that there was an overwhelmingly strong case for revising the 1985 Convention. A number of interrelated explanations were provided, including:

- the Convention was almost three decades old and inevitably much of the content was out of date and inconsistent with current European experience and good practices;
- the current emphasis on spectator violence in isolation from other crucial factors, like safety and service (otherwise known as “hospitality”), which have a demonstrable impact on supporter behaviour and associated levels of risk, represented a fundamental weakness which should be addressed;
- the unbalanced (and in some cases contradictory) content of the Convention compared to more recent Standing Committee recommendations was confusing for States Parties and was undermining the credibility of the Convention;
- the relatively narrow focus of the Convention was inconsistent with the much wider and continually evolving remit and work of a Standing Committee that was initially established to monitor compliance with the Convention;
- greater account should be taken of the impact of societal changes (economic, migratory, political, social and technological) on football and its associated character and level of risk, including:
 - the transmission of high-profile football matches in public-viewing areas located in venue cities and around the continent generally;
 - migration and immigration patterns have resulted in supporters of a particular national or club side being resident in a number of European countries;
 - travel companies and airlines providing low-cost transport has aided a dramatic increase in the volume of supporters traversing the continent to attend matches;
 - there has been a significant increase in the number of high-profile European football matches and tournaments over the past few decades; and
 - media coverage has intensified and become more critical of all things football-related, which has resulted in ongoing scrutiny of events (inside and outside stadiums) associated with high-profile matches and tournaments;

- revising the Convention would provide a high-profile opportunity to further promote the need for an integrated, multi-agency approach to safety, security and service along with a range of other good practices;
- revising the Convention would assist in further developing effective partnerships with sport’s international governing bodies and other international groups specialising in football safety and security;
- revising the Convention to define core safety, security and service principles/standards based on extensive European experience and good practices would assist in monitoring and evaluating compliance with the Convention and in facilitating the provision of meaningful advice and support to States Parties;
- football matches across the continent continued to be plagued by incidents of violence and other misbehaviour (UEFA data indicate that around 46% of matches played under their auspices experience safety and security incidents, of which around a quarter are designated as being “serious or worse”);
- over-reliance on the content of Convention No. 120, rather than the actions recommended by the Standing Committee, could diminish the level of football safety and exacerbate security risks for States Parties (for example, disproportionate deployment and use of riot police, and over-reliance on the use of fencing).

12. In the light of the study, the Committee of Ministers decided at its 1187th meeting in December 2013 to update the Convention, and instructed the Standing Committee to revise the Convention.

13. The Standing Committee has worked on this revision and concluded that Convention No. 120 no longer provides an appropriate response to the problem of football-related violence. It accordingly prepared a new text based on an integrated safety, security and service approach which, after intensive consultation, discussion and refinement, was unanimously endorsed by delegations of all States Parties in December 2014.

Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (hereafter “the Convention”) (CETS No. 218, 2016)

14. The Convention incorporates the key principles and enabling measures which provide the basis of established good practices, many of which are widely held to be prerequisites for reducing and effectively countering safety and

security risks in connection with football and other sports events. These are risks which can originate from different causes, for instance natural disasters, terrorist attacks, infrastructure failures, violence of any kind and misbehaviour.

15. The overarching key principles centre on the need to adopt an integrated, multi-agency approach towards three pillars – safety, security and service – and a partnership ethos between all agencies and stakeholders involved in making football and other sports events safe, secure and welcoming for all.

16. The content of the Convention, therefore, reflects widespread European experience which shows that focusing only on security risks in isolation does not provide an appropriate or effective means of reducing risks or ensuring a safe, secure and welcoming atmosphere in stadiums.

17. Moreover, safety risks are present at all public sports events, and it is essential that adequate preventative measures and counter-measures are in place and applied. Furthermore, European experience offers evidence that safety and service measures can impact on crowd behaviour in general and on the potential for significant incidents of violence and misbehaviour in particular.

18. The aim of the Convention, therefore, is to promote a multi-agency, integrated approach towards safety, security and service, and a partnership ethos between all the agencies involved in a sports event, with the roles and responsibilities of each public and private agency being clear and complementary. This ethos is also reflected by the emphasis placed on ensuring effective communication with supporter groups and local communities.

19. The title of the Convention, the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events, reflects its primary aim and content. The emphasis throughout is on developing a multi-agency, integrated approach based on various agencies working amid an ethos of co-operation and determination to provide a safe, secure and welcoming environment for all individuals at football and other sports events. The draft also focuses on the importance of developing a dialogue with key stakeholders, like local communities and supporters.

20. The legitimate expectation of all individuals to be able to attend sports events safely, and the associated need to tackle violence and maintain the rule of law inside and outside stadiums is stressed, along with the important

role that sport can play in promoting the core values of the Council of Europe, such as social cohesion, tolerance and the fight against discrimination.

21. The Convention avoids being unduly prescriptive but instead provides a framework document setting out key principles. This reflects the need for States to adapt and apply these principles in the light of their national legislation and circumstances, and in particular the character and severity of the safety and security problems associated with sports events in their territory.

22. For that reason, the scope of the Convention makes clear that while its provisions should be applied to all domestic and international professional football matches, it remains for each State Party to determine whether or not the provisions should be applied to minor football and other sports events where comparable risks and challenges apply.

23. In the same vein, the obligations imposed on States Parties do not interfere with the principle of autonomy of sport in Europe, which has been recognised and defined by the Committee of Ministers of the Council of Europe.³ However, this is balanced by the need to avoid excluding the sports movement from compliance with the rule of law and the applicable law in each jurisdiction.

24. The Convention stresses throughout that the provisions should be applied in a manner that is consistent with international and national legal obligations, in particular in respect of data protection, human rights and rehabilitation of offenders.

25. The preamble also highlights that the integrated approach to safety, security and service is reflected in Recommendation Rec (2015) 1 of the Standing Committee on Convention No. 120, adopted on 18 June 2015, along with the need to provide an updated binding instrument that is consistent with the content of this recommendation.

26. The text also provides a mechanism for monitoring compliance with, and for providing support and advice on the implementation of, the Convention through the establishment of a Committee on Safety and Security at Sports Events.

27. The setting up of such a committee has the merits of providing an institutional base for ensuring sustainability, being an appropriate mechanism

3. Recommendation CM/Rec(2011)3 of the Committee of Ministers to member States on the principle of autonomy of sport in Europe, adopted on 2 February 2011 at the 1104th meeting of the Ministers' Deputies.

for continuing the work of the Standing Committee, monitoring compliance with the provisions of the Convention, and providing support and advice to States Parties. This arrangement is similar to that used by the Anti-Doping Convention (ETS No. 135, 1989).

II. Provisions of the Convention

Preamble

28. The preamble sets out the purpose of the Convention: ensuring that football and other sports events provide a safe, secure and welcoming environment for all individuals. To achieve this end, the preamble briefly sets out the main features of the Convention, namely implementation of an integrated approach to safety, security and service at sports events by various bodies working in partnership amid an ethos of co-operation.

29. The preamble cites the legitimate expectation of all individuals to be able to attend sports events safely, and the associated need to tackle violence in all its forms and maintain the rule of law inside and outside stadiums.

30. The drafters also wished to acknowledge that violence is not the only danger in stadiums. Safety and service measures can have a positive and significant impact on crowd behaviour and the associated degree of risk of possible violent incidents. In any case, safety risks are present at all public sports events and security should never be given preference over safety. The preamble stresses, therefore, that it is essential to develop an integrated approach towards the three pillars (safety, security and service), all of which overlap and cannot be considered in isolation.

31. To achieve this aim, the drafters wished to emphasise the need to create an ethos of partnership and co-operation between all agencies involved in the preparation of a range of interrelated measures for football and other sports events. The preamble also focuses on the importance of developing a dialogue with key stakeholders, like local communities and supporters, who share the same objective and can play an important role in making such events safe, secure and welcoming.

32. As sport is a way of transmitting values, the preamble requests that those involved respect and promote the core values of the Council of Europe, such as social cohesion, tolerance and the fight against discrimination while implementing this integrated approach.

33. In addition to the description of the purpose of the Convention, the preamble also stresses that the content is not over-prescriptive but instead provides a framework document, setting out key principles. This reflects the need to enable States to adapt and apply these principles in the light of their national legislation and circumstances, and in particular the character and severity of the safety and security problems associated with sports events in their territory.

34. The preamble also stresses that the Convention should be applied in a manner that is consistent with international and national legal obligations in respect of matters such as data protection, human rights and rehabilitation of offenders.

35. In the same vein, it must be noted that the obligations imposed on States Parties do not interfere with the principle of autonomy of sport in Europe, which has been recognised and defined by the Committee of Ministers of the Council of Europe.⁴ Indeed, the principle of autonomy, as mentioned here, does not intend to exclude the sports movement from compliance with the rule of law and the applicable laws in each jurisdiction.

36. Finally, the last paragraphs recall that this Convention, by replacing Convention No. 120, reflects the constant willingness of the Council of Europe to make sports competitions safe and secure, and the current need to go further and to develop a new approach in the light of European experience and good practices established over the last few decades.

37. The drafters also intended to emphasise that this new approach is reflected in Recommendation Rec (2015) 1 of the Standing Committee on Convention No. 120, adopted on 18 June 2015, and that it is essential to promote an updated binding instrument to reflect this recommendation.

Article 1 – Scope

38. Paragraph 1 states that this Convention focuses on providing a safe, secure and welcoming environment in respect of football matches played by professional football clubs and national teams in the territory of a country. This paragraph targets football because it is the leading European, and global, sport in terms of attendance, media coverage and public interest. The drafters wished

4. Recommendation CM/Rec(2011)3 of the Committee of Ministers to member States on the principle of autonomy of sport in Europe, adopted on 2 February 2011 at the 1104th meeting of the Ministers' Deputies.

to highlight the need to apply the Convention to particular professional football matches – and national teams – in order to rule out a wide range of football events, for example matches between children in football academies or at school tournaments, which are not affected by the provisions of the Convention.

39. The provision included in paragraph 2 provides the Parties with the option of taking account of national circumstances and preferences in deciding if the provisions of the Convention should be applied to other football matches in which safety or security risks are involved, or other sports events. In some States, but by no means all, other sports like basketball or ice hockey can attract large crowds and generate comparable safety and security risks. It is up to each State to determine if they proactively give full effect to the provisions of this Convention for such sports events.

Article 2 – Aim

40. This article sets out the aim of this Convention, which is to provide a safe, secure and welcoming environment at football matches and other sports events. The article specifies the approach which should be adopted by the Parties in order to achieve this purpose.

41. Safety, security and service at sports events are implemented by a wide range of actors, subject to a wide range of rules and legislative and regulatory obligations. To achieve the purpose of this Convention, States have to develop a multi-agency and integrated approach, based on partnerships and co-operation at local, national and international level. It is important that the Parties develop a comprehensive strategy towards safety, security and service, encouraging all agencies to understand that no agency can fully achieve their own or wider aims and objectives when working in isolation from other partner agencies responsible for safety, security and service.

42. As stressed throughout the Convention, safety, security and service are the three pillars of a same objective. The Parties need to ensure that all partners involved in the management of a sports event understand the necessity of this integrated approach, and implement it. European experience shows that one pillar can hugely influence the other two, and that it is impossible to ignore the need to act simultaneously on all three fronts. For example, it has been widely demonstrated that making an event enjoyable and comfortable for supporters (service) can encourage high levels of compliance among spectators (safety) and create a peaceful atmosphere in which the threat of violence is substantively reduced (security).

43. Point “c” sets out the importance of adopting established good practices in the development of an integrated approach to safety, security and service. The aim is to highlight the added value of good practices which have been found to work effectively, when updating and improving safety, security and service measures in stadiums. These good practices also provide the basis and incentive for the establishment of this new legally binding instrument. In order to continue improving safety and security at sports events, the Committee on Safety and Security at Sports Events will gather good practices and analyse and share them with the Parties. The idea is not to be overly prescriptive about these practices, but to facilitate the improvement of safety, security and service mechanisms through the sharing of proven models.

Article 3 – Definitions

44. This article provides several definitions which are applicable throughout the Convention.

Definition of “safety”

45. The term “safety” is one of the three pillars of the integrated approach highlighted in the Convention. This concept aims to cover measures where the primary purpose is to protect the health and well-being of people in connection with sports events.

46. Therefore, the measures gathered under the thematic concept of safety concern the stadium infrastructure, the stadium certification, rules for the consumption of alcohol, emergency plans, etc.

47. Safety measures can also be implemented outside stadiums, in order to protect people on their journey to the event, or those who live or work in the vicinity. This can incorporate the management of public and private vehicles and supporters in the vicinity of stadiums. It also includes measures in respect of football-related events held in public spaces, like fan zones and public-viewing areas.

Definition of “security”

48. The concept of “security” has been the primary focus of rules and regulations regarding spectator behaviour in connection with sports events since the 1980s. In particular, Convention No. 120 is based on security measures.

49. This concept comprises all measures aiming to tackle violence inside and outside stadiums, and incorporates all measures designed to deter, prevent

and penalise any incident of violence or misbehaviour in connection with football matches and other sports events, including co-operation between policing and other agencies involved in the security of an event, risk assessment, sanctions against individuals committing offences or public disorder.

50. Here, the main goal is both to ensure the protection of individuals from danger and maintain public order.

Definition of “service”

51. The concept of “service” is the last pillar of the approach developed throughout this Convention, but not the least important. Experience demonstrates that the behaviour of spectators and/or supporters can be hugely influenced by the conditions and circumstances experienced when attending an event.

52. Service measures comprise all measures designed to make football and other sports events enjoyable and welcoming for all, not only in stadiums but also in public spaces where spectators gather, either at organised events or in a spontaneous manner. This incorporates key elements like good catering and toilet facilities but also the manner in which they are greeted and treated throughout the event experience.

Definition of “agency”

53. In respect of ensuring the safety and security of an event, it is crucial for all those involved to know exactly their duties and responsibilities. As the text of the Convention often refers to the duties of “agencies”, it is important to define what should be understood under this term.

54. The agencies are the key actors for safety and security at sports events. To avoid confusion, the definition points out the fact that the actors considered as “agencies” are those which engage their responsibility during sports events, under constitutional, legislative, regulatory or other provisions.

55. This definition is extensive as the purpose is to include all those who have responsibilities at such an event. However, each article of the Convention refers specifically to “key agencies”, “relevant agencies”, “competent agencies”, etc. This formulation enables States to maintain some flexibility in the distribution of duties and responsibilities to all those involved in the safety and security of a sports event.

Definition of “stakeholder”

56. The drafters wished to highlight the role of other organisations or individuals who do not have any legislative or regulatory responsibilities to make sports events safe, secure and welcoming, but who can play a major role in this regard.

57. This definition focuses in particular on spectators. It is crucial to include them as they represent an important part of the integrated approach. Indeed, experience and good practices have shown for years that spectators, and in particular supporters, can be vital to reducing risks and to supplying potential solutions to problems.

58. As they are not always structured and organised, spectators cannot be recognised as agencies to which responsibilities could be given. However, this Convention obliges Parties to regularly discuss with the different stakeholders. With spectators, and especially supporters, they should in particular discuss topics which can affect their stadium experience before, during and after an event, and which can consequently affect their behaviour. They are invited to include local communities in the preparation of major sports events in order to ensure clarity and transparency in respect of safety and security measures and also to provide reassurance. Both supporters and local communities should also be aware of and, where appropriate, be participants in the implementation of community projects involving preventative, educational or other initiatives.

Definition of “integrated approach”

59. As the term is used throughout the Convention, the definition aims to explain what should be understood by “integrated approach”.

60. As stressed throughout this explanatory report, the approach developed in this Convention centres on recognition that the three pillars detailed above overlap and cannot be considered in isolation. Each measure implemented in pursuance of one of the pillars can and will have an influence on the two others.

61. European experience and good practices developed since 1985 show that all disasters at sports events have been the result of a number of contributory failures, even if one pillar might have had a bigger influence than the others. The integrated approach is the added value of this Convention. It aims to prevent any incident occurring during a sports event, and to minimise the potential effects of an incident by way of a comprehensive safety, security and service scheme.

Definition of “multi-agency integrated approach”

62. Safety, security and service measures cannot be implemented effectively or in isolation by one single agency. This definition points out that a range of agencies are involved in the safety and security of a sports event.

63. As the measures overlap under the three pillars, their collective implementation has to be co-ordinated and delivered as part of a multi-agency package. If not, there is a risk that each pillar, and the activities of each agency will be pursued in isolation, which can lead to an important loss of efficiency in the overall response.

Definition of “good practices”

64. Good practices are examples of tried-and-tested measures that have been proven to be effective in one or more States and that can be implemented in other countries or other sports. The Committee on Safety and Security at Sports Events will be responsible for gathering these good practices and sharing them with all the Parties.

65. The aim of the reference to good practices throughout the Convention is to create a flexible instrument which allows the Parties to adapt their strategic and tactical policies and practices in the light of the evolution of safety and security measures and the underlying dynamics at sports events.

Definition of “relevant agency”

66. While safety and security operations in connection with a football or other sports event will involve a number of agencies working together, within that multi-agency process specific tasks will remain the primary responsibility of a legally or otherwise designated agency. As mentioned above, the term “relevant agency” aims to enable States to recognise this fact in their multi-agency event planning arrangements.

Article 4 – Domestic co-ordination arrangements

67. European experience shows that governments have a key role to play in ensuring that national sports-related safety and security arrangements are co-ordinated effectively at both national and local levels. This will involve ensuring that legislative, regulatory and administrative frameworks are in place to empower each agency to undertake its tasks effectively, and that all agencies are encouraged or required to work together on a multi-agency integrated approach to safety, security and service inside and outside stadiums.

68. The aim here is to ensure that national and local mechanisms are in place to consider the design and delivery of appropriate safety and security arrangements and to provide a forum in which senior representatives of each agency can contribute to monitoring emerging trends and experiences and work together to determine effective and proportionate preventative measures and counter-measures, taking into account international good practices. In order to achieve the implementation of these effective and proportionate measures, co-ordination mechanisms shall include a dynamic risk assessment, and enable the sharing of information among all stakeholders.

Article 5 – Safety, security and service in stadiums

69. This article centres on the key principle that all stadiums should provide spectators and other participants with a safe, secure and welcoming environment in which risks to both safety and security are minimised.

70. To achieve this crucial objective, paragraphs 2 and 3 stress the critical importance of the Parties ensuring that effective stadium licensing and safety certification arrangements are in place and applied. The character of these arrangements is not prescribed but the onus is placed on the Parties to monitor their effectiveness and in so doing ensure that stadiums' design, construction and crowd management arrangements are in compliance with national and international standards and good practices. This imperative, and other provisions in the article, are fully supported by UEFA.

71. Paragraph 4 is about the importance of the stadiums providing all those entering the stadium with an inclusive and welcoming environment in which to enjoy the event. No one should feel excluded. For example, providing facilities to allow children, elderly people and people with disabilities to enjoy sports events in a safe and secure way is considered a core principle. These facilities can comprise a wide range of elements, for example safe and easy access and clear and high-visibility signage. However, the drafters deliberately avoided citing examples in the text, as this could be perceived as suggesting other examples are less important. Furthermore, the term "encourage" allows the Parties some flexibility as to the action to be taken. However, the stadium facilities mentioned (appropriate sanitary and refreshment facilities, as well as good viewing conditions) are not just considered as examples of good practices, but are a part of the integrated safety, security and service approach.

72. Paragraph 5 concerns stadiums' operating arrangements. The Parties have to develop clear policies and procedures on matters of particular importance

for crowd management: the use of pyrotechnics, violent behaviour and racist or other discriminatory behaviour. In particular, policies have to ensure an effective liaison between the police, emergency services and other partner agencies involved. This paragraph focuses on three major risks, and is not overly descriptive on purpose, given that the Parties also have to ensure that strategies are developed for dealing with other in-stadium risks.

73. Paragraph 6 of this article highlights a crucial point of the integrated strategy. None of the provisions of this Convention can be efficiently implemented without qualified, trained and equipped safety and security personnel. While the Parties can decide which agencies are responsible for organising such training, they are strongly encouraged to adopt the concept of stewarding, which has proven to be the most appropriate means of ensuring effective crowd management and spectator safety arrangements.

74. Paragraph 7 highlights that the behaviour of players, coaches and others representatives of the participating teams can influence crowd behaviour and stresses that the competent authorities should oblige their personnel to act in compliance with sport's key principles, like tolerance, respect and fair play.

Article 6 – Safety, security and service in public places

75. The integrated approach should not only be implemented inside stadiums. The drafters also wished to highlight the need for specific safety and security measures in respect of events held outside stadiums. Public-viewing areas and locations where supporters can gather in large numbers either spontaneously or in an organised fashion, in particular during international tournaments, require comprehensive safety, security and service arrangements to be in place and implemented in order to minimise associated risks.

76. Moreover, as mentioned in the preamble to this Convention, events outside sports stadiums can have a direct impact on events inside stadiums, and vice versa. Moreover, experience demonstrates that, in some countries, while improvements in crowd management and other safety and security arrangements may have reduced the risk of violence inside stadiums, an equally comprehensive and integrated response is required to achieve a similar outcome outside stadiums.

77. Paragraph 1, therefore, stresses the need for comprehensive co-operation between all agencies and stakeholders involved in the management of sports events in public places or public-viewing areas, in order to prevent any significant disruption to local communities and to facilitate a safe, secure and

welcoming atmosphere in public spaces, including city centres and transit routes to and from stadiums.

78. This paragraph also establishes the core principle of dialogue with local communities, recognising that effective communication can provide reassurance and avoid misunderstanding and tension.

79. Paragraph 2 asks the Parties to ensure that risk assessment and safety and security measures take account of the journey to and from stadiums. The aim of this Convention is not to oblige States to implement safety and security measures at every stage of the journey of supporters. Indeed, it would be unrealistic and inappropriate to impose such an obligation on States, given that supporters can travel, often independently or in small groups, from across the continent or beyond to follow their favourite team. Neither is the aim to interfere with the general obligation of States to protect the health of people on their territory. On the contrary, the intention with this paragraph is to highlight that supporters do not always meet in the vicinity of stadiums, but can sometimes meet in a separate pre-identified location and that it is important to take account of this reality when assessing the risks and implementing the associated safety and security measures.

Article 7 – Contingency and emergency planning

80. Emergency and contingency plans are crucial elements of the safety and security arrangements for a sports event (and other public gatherings). It is therefore mandatory for each party to ensure that such plans are developed, tested and refined in regular joint, multi-agency exercises.

81. The term “emergency plans” refers to local multi-agency plans prepared by a national or municipal authority for dealing with a major incident inside or in the vicinity of a stadium. “Contingency plans” refer to the in-stadium arrangements prepared by the stadium’s safety officer or management for dealing with unexpected events or emergencies within a stadium. In both cases, such plans should be prepared in close consultation with all the relevant authorities.

82. The content of stadium contingency plans has to be comprehensive in order to respond to any scenario, ranging from major threats like fire or an infrastructure failure to the procedures for dealing with lost children or the failure of refreshment or sanitary facilities.

83. Designated stadium personnel, often the safety officer, should work closely with the police and other emergency services in the preparation of

emergency plans and should do likewise in respect of stadium contingency plans, ensuring that the content of both is consistent.

84. The article does not attempt to identify the contents of these plans, but detailed guidance will be provided in revised recommendations on good practices. The key issue is that the plans are evolutionary and are reviewed on a regular basis. National legal, regulatory or administrative arrangements shall clarify which agency shall be responsible for arranging joint exercises.

Article 8 – Engagement with supporters and local communities

85. This article reflects the integrated approach on which this Convention is based. Spectators are major stakeholders, and extensive European experience shows that proactively engaging with supporters, both in organised meetings with fan groups and through positive interaction with individual supporters as part of safety and security operations, can have a major influence on crowd behaviour generally and on encouraging high levels of compliance with stadium personnel and police instructions. The article makes no attempt to be over-prescriptive regarding the options for achieving effective communication, but does aim to promote the principle of, and the potential benefits to be derived from, dialogue with supporters.

86. Paragraph 1 stresses that open and frank dialogue lies at the heart of an effective communication strategy irrespective of whether it is aimed at supporters or local communities, or both. In practical terms, it provides an appropriate means of relaying important information, providing an explanation of why any controversial measures are being pursued and seeking a supporter's perspective on all aspects of the event experience. Moreover, experience and good practices demonstrate that well-informed and well-cared-for supporters feel comfortable, and that people who feel comfortable remain relaxed.

87. Paragraph 2 relates to the potential benefits associated with multi-agency participation in, or association with, a wide range of community-focused social, educational, crime prevention and other projects. Such projects can be designed to influence the behaviour of young supporters and foster mutual respect and understanding, or they can be football-related projects aimed at developing closer links between football and other sports events and local communities. Projects run in schools or targeted at school pupils can be especially effective, but a wide range of options can be pursued.

Article 9 – Police strategies and operations

88. Policing is a crucial part of the integrated approach and the Parties should ensure that policing strategies are developed, regularly evaluated and refined in the light of experience (good and bad) and established European good practices.

89. Examples of key good practices are highlighted in paragraph 2, each of which has been demonstrated by extensive European experience as being integral to the planning and delivery of effective and proportionate football policing operations. Without being over-prescriptive, or unduly interfering in the responsibility of each country to determine the character of its policing arrangements, the paragraph does provide some core strategic and operational principles, which should be taken into account, notably the need for intelligence-led and dynamic risk-based police deployment strategies and proportionate intervention to prevent an escalation of risk or disorder.

90. These considerations are crucial, taking into account that the dynamics of a football event vary from match to match and are rarely predictable. Events can evolve rapidly, especially if supporters feel that they are being treated indiscriminately or on the basis of reputation rather than behaviour. The importance of effective dialogue with supporters, the need to gather evidence of misbehaviour and the benefits to be derived from developing effective partnerships with prosecuting agencies are also stressed.

91. Paragraph 3 highlights the importance of the police working in partnership with event organisers and other stakeholders to develop policing arrangements for football and other sports events.

Article 10 – Prevention and sanctioning of offending behaviour

92. Ensuring the safety and security of sports events requires the development of effective policing operations and evidence gathering, close co-operation between the relevant agencies, and an appropriate and proportionate criminal justice response to violent misbehaviour. Sanctions imposed on offenders may not alone prevent or deter repeat misbehaviour. The article, therefore, also focuses on the importance of establishing and implementing an effective means of excluding offenders from football matches for a period of time that is likely to act as a deterrent and help rehabilitate offenders.

93. It should be stressed that each paragraph in this article must be implemented in accordance with applicable national and international legislation. The drafters focused on the imposition of sanctions and preventative measures on individuals, rather than groups, in order to ensure that the provisions are applied in a targeted manner and are intelligence- and evidence-based in character. The provisions have also been designed to provide scope for the Parties to apply the measures in a way that reflects the level of actual misbehaviour and the severity of the risks involved.

94. Paragraph 1 is generic in character and stresses the responsibility of the Parties to take all possible measures to reduce the risks of violence inside and outside stadiums. The drafters wished to ensure that Parties can comply with the provision in the light of the character and severity of the security problems at football and other sports events held in their territory.

95. Paragraph 2 requires States to develop effective exclusion arrangements. European experience shows that exclusion can be the most effective means of preventing repeat offences and transforming behaviour. A variety of exclusion options exist across Europe and it is for each State to choose the arrangements which it considers are most likely to have an impact, taking into account the character and location of the offending behaviour.

96. Paragraph 3 refers to football-related offences committed abroad. The aim is to ensure that offenders receive appropriate sanctions, either in the country where the offence is committed, or in the country of residence or citizenship. Again, the aim is that all such sanctions should be imposed in accordance with the legal, regulatory or administrative arrangements in the country concerned.

97. Paragraph 4 concerns the possibility of imposing travel restrictions on individuals, where appropriate and in accordance with designated judicial or administrative arrangements, for dealing with football-related violence or disorder. The aim is to prevent individuals from committing offences in connection with football events held in another country. Travel restrictions are implemented in several countries and have proven to be a highly effective and proportionate means of reducing risk and levels of disorder abroad, and of fulfilling the moral obligation to prevent the export of domestic football problems.

Article 11 – International co-operation

98. This article points out the importance of good co-operation between Parties to maximise the efficiency of the provisions of the Convention.

99. Paragraph 2 obliges the Parties to set up a National Football Information Point (NFIP) to act as the sole designated conduit for exchanging all information and intelligence regarding football matches with an international dimension and for arranging other matters of international police co-operation, including the hosting and deployment of visiting police delegations. NFIPs were created under European Union law (Council Decision of 25 April 2002 concerning security in connection with football matches with an international dimension, 2002/348/JHA). Accordingly, the text of paragraphs 2 to 4 is inspired by the above-mentioned decision.

100. NFIPs are mandatory in each member State of the European Union. They also exist in many non-European Union member States which have voluntarily opted to set up a NFIP and become part of the Europe-wide NFIP network. As the term "NFIP" is widely used and understood across Europe, the drafters used this terminology, since the use of an alternative description would have placed the Convention in conflict with European Union law and, therefore, would have been counter-productive.

101. Notwithstanding the use of the term NFIP, it is acknowledged that some States may wish to use the NFIP network to share information relating to other sports in addition to football. It is for each State to determine the merits of extending, in law or in operating arrangements, the scope of the work of their designated NFIP.

102. In accordance with paragraph 4, the Committee on Safety and Security at Sports Events will keep an up-to-date contacts list of the NFIP network, whether the NFIPs come from the European Union or not.

103. Paragraph 5 is about international co-operation between States. As the aim of the Convention is to develop an integrated approach to safety, security and service, international co-operation should extend beyond the exchange of information for policing purposes. The Parties, therefore, should also exchange good practices regarding safety measures, preventative projects and projects involving supporters, as each element is crucial to the development and implementation of an effective Europe-wide integrated, multi-agency approach to making football or other sports events safe, secure and welcoming.

Procedural Clauses

104. These clauses provide information about the monitoring and the revision of the Convention. They in particular detail the role and functions of the Committee on Safety and Security at Sports Events, the committee in charge of implementing the provisions of the Convention.

Article 12 – Provision of information

105. The aim of this article is to collect information and experience with regard to the implementation of the provisions of the Convention. The Committee on Safety and Security at Sports Events may specify the type of information, frequency and methods of information gathering (country profiles, questionnaires, etc.) in its Rules of Procedure.

Article 13 – Committee on Safety and Security at Sports Events

106. This article provides for the setting up of a committee under the Convention, the Committee on Safety and Security at Sports Events, to ensure a number of Convention-based follow-up tasks.

107. Paragraph 2 states that the Parties shall appoint representatives from lead governmental agencies with responsibilities for sport safety and security, and from the National Football Information Point. In practice, the Parties should appoint delegates from both the sports sector and the safety and security sector (in most cases, the Ministry of Sport and the Ministry of Interior or Justice). The delegations can also comprise experts from the sports federations or other relevant sports bodies. Each Party shall have one vote.

108. Paragraph 3 states that the committee may also comprise observers from every member State of the Council of Europe, every State Party to the European Cultural Convention and every State Party to the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120). The drafters wished to keep a strong link between the work of the Standing Committee on Convention No. 120 and the work of this committee. The best way to ensure this link is to allow all the experts in sports safety and security to continue working together during the time needed by their country to ratify this Convention.

109. Like other monitoring mechanisms (for example, the Follow-up Committee responsible for the implementation of the Council of Europe Convention on the Manipulation of Sports Competitions, CETS No. 215), paragraph 4 states that the committee may also invite, by unanimous decision, any non-member State of the Council of Europe, or any relevant organisations, to be represented at its meetings as an observer. It may thus benefit, where appropriate, from their additional expertise and experience in the field of safety, security and service at sports events. The observers shall participate in the committee's meeting without the right to vote.

110. Paragraph 5 states that the committee will be convened for its first meeting by the Secretary General of the Council of Europe within one year of the date on which ten member States of the Council of Europe ratify the Convention. The drafters wished to let a sufficient number of States ratify this Convention before holding the first meeting in order for the committee to operate under satisfactory conditions, with a sufficient number of representatives to ensure the credibility of its work.

111. Paragraph 7 recalls that the committee must adopt rules of procedures establishing its internal organisation, the terms for voting, the terms for acceding to the status of observer, etc.

Article 14 – Functions of the Committee on Safety and Security at Sports Events

112. The committee is responsible for the follow-up to the implementation of the Convention, and carries out its function by completing the different tasks described in this Article 14.

113. The main tasks of the committee will be:

- the collection, exchange and analysis of information;
- the monitoring of the compliance of the Parties with the commitments of the Convention, through a programme of visits.

114. The committee shall, in particular, exchange information with the Parties, hold consultations with the relevant sports organisations, examine the need to update any part of the Convention and inform the public about the activities undertaken within the framework of the Convention. It may also address recommendations to the Committee of Ministers on the accession of new States to the Convention.

115. Paragraph 2 concerns the programme of visits. The drafters wished the visits to be based on an ethos of co-operation between States, through a “peer review” mechanism. The visits are organised with the prior agreement of the Parties concerned, and aim to provide advice and support in order to help the State under review to improve its policy making, to take on best practices and to be compliant with this Convention. A joint document from the Enlarged Partial Agreement on Sport Governing Board, the Standing Committee on Convention No. 120 and the Monitoring Group of the Anti-Doping Convention (ETS No. 135) provides the details and terms of the visits.

116. Paragraph 3 states that the committee also has a role to collect the information provided by the Parties under the provisions of Article 12. The committee collects in particular the name and contact details of all the NFIPs, and circulates them. This role is central to the development of co-operation between all the Parties, co-operation which has proved to be effective in Europe since the creation of the NFIP network.

117. Paragraph 4 states that it is possible for the committee to hold ad hoc meetings, if necessary, on topical issues.

Article 15 – Amendments

118. This article provides for the possibility of amending the Convention and establishes the mechanism for such a process.

119. Amendments to the provisions of the Convention may be proposed by the Parties, the Committee on Safety and Security at Sports Events or the Committee of Ministers of the Council of Europe. These amendments shall then be communicated to all member States of the Council of Europe, States Parties to the European Cultural Convention, non-member States of the Council of Europe who acceded to Convention No. 120 prior to the date this Convention was opened for signature,⁵ and to any State invited to sign or accede to the Convention. The Committee on Safety and Security at Sports Events shall submit to the Committee of Ministers its opinion on the proposed amendment.

120. The Committee of Ministers shall consider any proposed amendment and any opinion submitted by the Committee on Safety and Security at Sports Events and may adopt the amendment.

121. Any amendment adopted by the Committee of Ministers shall come into force after its approval by all States Parties. This method ensures an equal participation in the decision-making process for all States Parties.

Final Clauses

122. Articles 16 to 22 are essentially based on the Model Final Clauses for Conventions and Agreements concluded within the Council of Europe, which the Committee of Ministers approved at the Deputies' 315th meeting, in

5. At the time of the adoption of this Convention, Morocco is the only State which is not a member State of the Council of Europe or a Party to the European Cultural Convention to have acceded to Convention No. 120.

February 1980, and on the final clauses of the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120).

Article 16 – Signature

123. The Convention is open for signature by Council of Europe member States, States Parties to the European Cultural Convention and any non-member State of the Council of Europe which acceded to Convention No. 120 prior to the date this Convention was opened for signature.⁶

124. Paragraph 3 underlines the need to denounce Convention No. 120 before ratifying this Convention, or at the same time as ratification. Indeed, as Convention No. 120 no longer prescribes the right answers to ensure safety and security in stadiums, it would not be relevant to be a part of two binding conventions which could recommend contradictory responses to the same phenomenon.

125. In order to avoid transitional periods during which a State has denounced Convention No. 120 but is not yet bound by this Convention, paragraph 4 states that Contracting States can declare that they will be bound by Convention No. 120 until the entry into force of this Convention. This provision applies to the first two States to ratify the Convention. Indeed, the Convention will enter into force after the third ratification. The first two States may wait for several months before this enters into force. It is crucial to allow them to keep an international binding instrument on safety and security at sports events applicable to their territory.

Article 17 – Entry into force

126. This article sets the number of ratifications, acceptances or approvals required for the Convention's entry into force at three member States of the Council of Europe. This number is not very high in order not to unnecessarily delay the entry into force of the Convention, but nevertheless reflects the belief that a minimum number of States is needed to successfully set about addressing the major challenge of ensuring safe, secure and welcoming sports events.

6. At the time of the adoption of this Convention, the States Parties to the European Cultural Convention that are not also members of the Council of Europe are Belarus, Kazakhstan and the Holy See. Morocco is the only State to have acceded to Convention No. 120 that is not a member State of the Council of Europe and not a Party to the European Cultural Convention.

Article 18 – Accession by non-member States

127. The Committee of Ministers may invite any non-member State to accede to the Convention. The Parties must be consulted. The decision to invite a State requires the two-thirds majority provided for in Article 20.d of the Statute of the Council of Europe and the unanimous vote of the Parties to the Convention having the right to sit on the Committee of Ministers.

128. The aim of the Convention is to provide a safe, secure and welcoming environment for all spectators at sports events, in Europe and beyond. The provisions of the text have been influenced by European experience, but aim to define key principles applicable anywhere. Therefore, non-member States will be welcome to ratify the Convention.

129. The financial contribution mentioned in paragraph 3 is based on Resolution CM/Res(2015)1 of the Committee of Ministers concerning financial arrangements for the participation of non-member States in Council of Europe conventions.

Article 19 – Effects of the Convention

130. Paragraph 1 clarifies the relationship between Convention No. 120 and this Convention. This Convention goes beyond the scope of Convention No. 120. It requires the Parties to implement additional provisions, notably with regard to international co-operation and treatment of offenders (subjects of Articles 4 and 5 of Convention No. 120). This Convention cannot impose obligations on States which have not ratified it. That is why the provisions of Article 4 of Convention No. 120 on international co-operation and Article 5 of Convention No. 120 on identification and treatment of offenders will continue to apply, when necessary, in relationships between a Party to this Convention and a Party to Convention No. 120. In any case, the Parties to Convention No. 120 are encouraged to ratify this Convention.

131. Paragraph 2 clarifies the rules applicable when denouncing Convention No. 120 and simultaneously ratifying this Convention, pending the denunciation of Convention No. 120 becoming effective. As this Convention contains different rules, Contracting States must denounce Convention No. 120 when ratifying this Convention (according to the provisions of Article 16, paragraph 3). According to the provisions of Article 16, paragraph 2, of Convention No. 120, such denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General. This Convention shall enter into

force on the first day following the expiration of a period of one month after the date of deposit of the instrument of ratification, acceptance or approval (according to the provisions of Article 17). During the period in which the two conventions are in force in a State, the State will apply the provisions of this Convention.

Article 20 – Territorial application

132. This article is dedicated to the territorial application of the Convention. Any State may specify the territories to which this Convention shall apply. It is well understood here that it would be contrary to the object and purpose of this Convention for any State Party to exclude parts of its territory from the application of the Convention without valid reason (such as the existence of different or special legal status; in overseas territories, for example), and that it was unnecessary to make this point explicit in the Convention. Any Party may extend the application of the Convention to any territory originally excluded by means of a declaration addressed to the Secretary General of the Council of Europe.

133. Any Party may, at a later date, decide to withdraw its declaration. In order to respect the object and purpose of the Convention, the Parties will be encouraged to withdraw their declarations as soon as it appears that the Convention is necessary and practically applicable within the territory concerned.

Article 21 – Denunciation

134. The Parties have the possibility to denounce the Convention, in accordance with Article 54 of the Vienna Convention on the Law of Treaties (1969).

Article 22 – Notifications

135. This article lists the notifications that, as depositary of the Convention, the Secretary General of the Council of Europe is required to make, and designates the recipients of these notifications (member States of the Council of Europe, States Parties to the European Cultural Convention or any State which has acceded to this Convention).

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