

PRÍLOHA
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EUROPEAN CONVENTION
ON SPECTATOR VIOLENCE AND MISBEHAVIOUR
AT SPORTS EVENTS
AND IN PARTICULAR AT FOOTBALL MATCHES

PREAMBLE

The member States of the Council of Europe and the other States party to the European Cultural Convention, signatory hereto,

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

Concerned by violence and misbehaviour amongst spectators at sports events, and in particular at football matches, and the consequences thereof;

Aware that this problem is likely to put at risk the principles embodied in Resolution (76) 41 of the Committee of Ministers of the Council of Europe known as the „European Sport for All Charter“;

Emphasising the important contribution made to international understanding by sport, and especially, because of their frequency, by football matches between national and club teams from European states;

Considering that both public authorities and the independent sports organisations have separate but complementary responsibilities to combat violence and misbehaviour by spectators, bearing in mind that the sports organisations also have responsibilities in matters of safety and that more generally they should ensure the orderly conduct of the events they organise; considering moreover that these authorities and organisations should work together for this purpose at all appropriate levels;

Considering that violence is a current social phenomenon with wide repercussions, whose origins lie mainly outside sport, and that sport is often the scene for outbreaks of violence;

Being resolved to take common and co-operative action to prevent and control the problem of violence and misbehaviour by spectators at sports events,

Have agreed as follows:

Article 1

Aim of the Convention

1. The Parties, with a view to preventing and controlling violence and misbehaviour by spectators at football matches, undertake, within the limits of their respective constitutional provisions, to take the necessary steps to give effect to the provisions of this Convention.

2. The Parties shall apply the provisions of this Convention to other sports and sports events in which violence or misbehaviour by spectators is to be feared, as appropriate to the specific requirements of such sports and sports events.

Article 2

Domestic co-ordination

The Parties shall co-ordinate the policies and actions of their government departments and other public agencies against violence and misbehaviour by spectators, where appropriate through setting up co-ordinating bodies.

Article 3

Measures

1. The Parties undertake to ensure the formulation and implementation of measures designed to prevent and control violence and misbehaviour by spectators, including in particular:

- a. to secure that adequate public order resources are employed to counter outbreaks of violence and misbehaviour, both within the immediate vicinity of and inside stadia and along the transit routes used by spectators;
- b. to facilitate close co-operation and exchange of appropriate information between the police forces of the different localities involved or likely to be involved;
- c. to apply or, if need be, to adopt legislation which provides for those found guilty of offences related to violence or misbehaviour by spectators to receive appropriate penalties or, as the case may be, appropriate administrative measures.

2. The Parties undertake to encourage the responsible, organisation and good conduct of supporters' clubs and the appointment of stewards from within their membership to help manage and inform spectators at matches and to accompany parties of supporters travelling to away fixtures.

3. The Parties shall encourage the co-ordination, insofar as legally possible, of the organisation of travel arrangements from the place of departure, with the cooperation of clubs, organised supporters, and travel agencies, so as to inhibit potential trouble-makers from leaving to attend matches.

4. The Parties shall seek to ensure, where necessary by introducing appropriate legislation which contains sanctions for non-compliance or by any other appropriate means, that, where outbreaks of violence and misbehaviour by spectators are to be feared, sports organisations and clubs, together with, where appropriate, stadium owners and public authorities, in accordance with responsibilities defined in domestic law, take practical measures at and within stadia to prevent or control such violence or misbehaviour, including:

- a. to secure that the design and physical fabric of stadia provide for the safety of spectators, do not readily facilitate violence between spectators, allow effective crowd control, contain appropriate barriers of fencing, and allow security and police forces to operate;
- b. to segregate effectively groups of rival supporters, by allocating to groups of visiting supporters, when they are admitted, specific terraces;
- c. to ensure this segregation by strictly controlling the sale of tickets and to take particular precautions in the period immediately preceding the match;
- d. to exclude from or forbid access to matches and stadia, insofar as it is legally possible, known or potential trouble-makers, or people who are under the influence of alcohol or drugs;
- e. to provide stadia with an effective public address system and to see that full use is made of this, of the match programme and of other publicity outlets to encourage spectators to behave correctly;
- f. to prohibit the introduction of alcoholic drinks by spectators into stadia; to restrict, and preferably ban, the sale and any distribution of alcoholic drinks at stadia, and to ensure that all beverages available are in safe containers;
- g. to provide controls so as to ensure that spectators do not bring into stadia objects that are likely to be used in acts of violence, or fireworks or similar devices;
- h. to ensure that liaison officers co-operate with the authorities concerned before matches on arrangements to be taken for crowd control so that the relevant rules are enforced through concerted action.

5. The Parties shall take appropriate social and educational measures, bearing in mind the potential importance of the mass media, to prevent violence in and associated with sport, in particular by promoting the sporting ideal through educational and other campaigns, by giving support to the notion of fair play, especially among young people, so as to enhance mutual respect both amongst spectators and between sports players and also by encouraging increased active participation in sport.

Article 4 International co-operation

1. The Parties shall co-operate closely on the matters covered by this Convention and encourage similar co-operation as appropriate between national sports authorities involved.

2. In advance of international club and representative matches or tournaments, the Parties concerned shall invite their competent authorities, especially the sports organisations, to identify those matches at which violence or misbehaviour by spectators is to be feared. Where such a match is identified, the competent authorities of the host country shall arrange consultations between those concerned. Such consultations shall take place as soon as possible and should not be later than two weeks before the match is due to take place, and shall encompass arrangements, measures and precautions to be taken before, during and after the match, including, where necessary, measures additional to those included in this Convention.

Article 5 Identification and treatment of offenders

1. The Parties, respecting existing legal procedures and the principle of the independence of the judiciary, shall seek to ensure that spectators committing acts of violence or other criminal behaviour are identified and prosecuted in accordance with the due process of the law.

2. Where appropriate, particularly in the case of visiting spectators, and in accordance with the applicable international agreements, the Parties shall consider:

- a. transferring proceedings against persons apprehended in connection with violence or other criminal behaviour committed at sports events to their country of residence;
- b. seeking the extradition of persons suspected of violence or other criminal behaviour committed at sports events;
- c. transferring persons convicted of offences of violence or other criminal behaviour committed at sports events to serve their sentences in the relevant country.

Article 6 Additional measures

1. The Parties undertake to co-operate closely with their appropriate national sports organisations and clubs and where appropriate, stadium owners, on arrangements regarding the planning and execution of alterations to the physical fabric of stadia or other alterations, including access to and egress from stadia, necessary to improve safety and to prevent violence.

2. The Parties undertake to promote, where necessary and in appropriate cases, a system laying down requirements for the selection of stadia which take into account the safety of spectators and the prevention of violence

amongst them, especially for those stadia used for matches likely to attract large or unruly crowds.

3. The Parties undertake to encourage their national sports organisations to review their regulations continuously in order to control factors which may lead to outbreaks of violence by players or spectators.

Article 7

Provision of information

Each Party shall forward to the Secretary General of the Council of Europe, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention, whether with regard to football or to other sports.

Article 8

Standing Committee

1. For the purposes of this Convention, a Standing Committee is hereby established.

2. Any Party may be represented on the Standing Committee by one or more delegates. Each Party 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 may be represented on the Committee as an observer.

4. The Standing Committee may, by unanimous decision, invite any non-member State of the Council of Europe which is not a Party to the Convention and any sports organisation concerned to be represented by an observer at one or more of its meetings.

5. The Standing 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 of the entry into force of the Convention. It shall subsequently meet at least every year. 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 Standing Committee.

7. Subject to the provisions of this Convention, the Standing Committee shall draw up and adopt by consensus its own Rules of Procedure.

Article 9

1. The Standing 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 modifications necessary;
- b. hold consultations with relevant sports organisations;

- c. make recommendations to the Parties concerning measures to be taken for the purposes of this Convention;
- 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.

2. In order to discharge its functions, the Standing Committee may, on its own initiative, arrange for meetings of groups of experts.

Article 10

After each meeting, the Standing Committee shall forward to the Committee of Ministers of the Council of Europe a report on its work and on the functioning of the Convention.

Article 11

Amendments

1. Amendments to this Convention may be proposed by a Party, the Committee of Ministers of the Council of Europe or the Standing Committee.

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 party to the European Cultural 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 14.

3. Any amendment proposed by a Party or the Committee of Ministers shall be communicated to the Standing Committee at least two months before the meeting at which it is to be considered. The Standing Committee shall submit to the Committee of Ministers its opinion on the proposed amendment, where appropriate after consultation with the relevant sports organisations.

4. The Committee of Ministers shall consider the proposed amendment and any opinion submitted by the Standing Committee and may adopt the amendment.

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.

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 12

1. This Convention shall be open for signature by member States of the Council of Europe and other States party to the European Cultural Convention, which may express their consent to be bound by:

- a. signature without reservation as to ratification, acceptance or approval, or
- b. signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval.

2. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

Article 13

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 member States of the Council of Europe have expressed their consent to be bound by the Convention in accordance with the provisions of Article 12.

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 signature or of the deposit of the instrument of ratification, acceptance or approval.

Article 14

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe, after consulting the Parties, may invite to accede to the Convention any non-member State of the Council of Europe 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.

Article 15

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 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 such declaration by the Secretary General.

3. Any declaration made under the two preceding paragraphs may, in respect of any territory mentioned in such declaration, be withdrawn by a notification addressed to the Secretary General. Such 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 16

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. 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.

Article 17

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

- a. any signature in accordance with Article 12;
- b. the deposit of any instrument of ratification, acceptance, approval or accession in accordance with Article 12 or 14;
- c. any date of entry into force of this Convention in accordance with Articles 13 and 14;
- d. any information forwarded under the provisions of Article 7;
- e. any report established in pursuance of the provisions of Article 10;
- f. any proposal for amendment or any amendment adopted in accordance with Article 11 and the date on which the amendment comes into force;
- g. any declaration made under the provisions of Article 15;
- h. any notification made under the provisions of Article 16 and the date on which the denunciation takes effect.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Strasbourg, this 19th day of August 1985, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, to each State party to the European Cultural Convention, and any State invited to accede to this Convention.