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Stop hate speech and acts of hatred in sport

Report[1]
Committee on Equality and Non-Discrimination
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Summary

Hatred and intolerance are rife in today's Europe and this is reflected in the world of sport, in the form of abusive language, incitation to violence and actual hate crimes, based on all grounds of discrimination including antisemitism, islamophobia, homo- and transphobia, afrophobia, racism, sexism and xenophobia.

Sport has a powerful potential to change mindsets and should be first and foremost an instrument for promoting values such as fair play, mutual respect and tolerance, thus contributing to harmonious living together in diversity.

The Council of Europe has taken action against hate speech in sport, *inter alia* thanks to the No Hate Speech Movement Campaign, and has established co-operation with UEFA and FIFA to promote human rights, integrity, good governance and non-discrimination in football.

Council of Europe member States should strengthen co-operation with sports organisations in areas including the monitoring and reporting of incidents, as well as information and awareness-raising activities targeting athletes and the general public. In addition, since education is key in preventing hatred and intolerance, special attention should be paid to the role of schools in transmitting the values of tolerance and human dignity.

1. Reference to committee: Doc. 14427, Reference 4350 of 22 January 2018.

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A. Draft resolution[2]

1. Hatred and intolerance are rife in today's Europe and the world of sport, which reflects society at large, is not immune to this reality. On the contrary, various forms of hatred and intolerance, including antisemitism, islamophobia, homo- and transphobia, racism, afrophobia, sexism and xenophobia, often find fertile ground in sports arenas, leading to verbal and physical violence. This interferes with the spirit of competition that is a natural element of sport, by polluting and perverting it.

2. Verbal abuse is widespread in the sports environment, in the form of insults and chants that may amount to hate speech and incitation to violence. Abuse may also be visual, written or allusive, with the use of symbolic objects, extremist iconography or the vandalisation of the opponents' symbols. These phenomena occur most often in collective ways, among supporters, but they also take place on the playing field, involving players, trainers or referees, either as perpetrators or victims of the abuse.

3. The Parliamentary Assembly condemns hatred and intolerance in any form and believes that the impact of hate speech should not be underestimated. While awareness of this issue and the need to address it has increased in recent years, much remains to be done to counter it effectively in the sports environment. In addition, the danger posed by populists and other ideologues attempting to manipulate sports supporters for electoral and political gain should be prevented and countered.

4. The Council of Europe has taken action against hate speech in the area of sport through various activities, in particular through the Youth Sector's No Hate Speech Movement campaign, in co-operation with the Enlarged Partial Agreement on Sports (EPAS).

5. The Assembly welcomes the Memoranda of understanding signed in 2018 between the Council of Europe and the European Union of Football Associations (UEFA) and the Fédération internationale de football association (FIFA) as an important basis for co-operation to promote human rights, integrity, good governance and non-discrimination in football, which is by far the most popular sport in Europe, and the fact that the former memorandum explicitly mentions hate speech among the manifestations of discrimination that State Parties are required to prevent and combat.

6. The Assembly is aware of the powerful potential that sport has to change mindsets. It is convinced that sport should be first and foremost an instrument for promoting and transmitting values such as fair play, mutual respect and tolerance, in addition to being a beneficial activity for personal development and health and a form of entertainment accessible to all. There should be no space in sport for prejudice and violence, nor for manipulation of supporters' sentiments.

7. The Assembly recalls its Resolution 2131 (2016) "Sport for all: a bridge to equality, integration and social inclusion", particularly as regards the need for mechanisms for regular and systematic monitoring of discrimination in the field of sport

8. The Assembly believes that education is key in preventing hatred and intolerance, including in the sports environment, and special attention should be paid to the role of schools in transmitting the values of tolerance and respect for human dignity.

9. The Assembly supports the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (CETS No. 218) and invites all member States which have not yet done so to sign and ratify it.

10. In the light of these considerations, the Assembly calls on the Council of Europe member States to:

10.1. promote research and data collection on hate speech and hate crime in the sports environment. Data should be comparable and disaggregated by geographic location, sport, victim and perpetrator distinguishing between professional and amateur sports players or spectators, and the grounds of discrimination;

10.2. integrate into their national plans or strategies against hate speech and hate crime specific measures to address such issues in the sports environment;

10.3. strengthen co-operation with sports organisations in areas relevant to hatred and intolerance, including the monitoring and reporting of incidents, information and awareness-raising activities targeting athletes, staff and management of sports organisations, as well as the general public;

2. Draft resolution adopted unanimously by the committee on 7 March 2019.

10.4. ensure that reporting mechanisms are available for victims of hate speech and discrimination in the sports environment; both with a view to protecting victims and to regularly monitoring the phenomenon;

10.5. combat impunity by ensuring consistent implementation of existing administrative and criminal sanctions for hate speech in the sports environment and making use of the technologies currently available on sports grounds to identify perpetrators;

10.6. conduct awareness-raising campaigns targeting the general public on the dangers posed by hate speech, the reporting mechanisms available and the importance of countering impunity by reporting incidents;

10.7. integrate sports ethics into school curricula, in the framework of citizenship education. Provide physical education teachers and sports trainers with training on detecting and responding to discrimination and abuse targeting athletes, whether at amateur or professional level;

10.8. encourage media to provide pluralistic, unbiased information on athletes, particularly those at higher risk of hatred, and their performance, and to report accurately and without bias on hate speech incidents and hate crimes.

11. The Assembly calls on sports federations and other sports organisations to:

11.1. integrate equality and non-discrimination into their activities and promote democratic values; prevent and combat hate speech and, to this end, strengthen co-operation with supporters clubs, civil society organisations, the media and educational institutions;

11.2. appoint outstanding athletes as ambassadors for equality and non-discrimination;

11.3. require all players to formally commit to abstaining from hate speech and manifestations of hatred and intolerance;

11.4. provide all players and staff members with training on how to identify, prevent and counter hate speech and intolerance;

11.5. promote educational programmes for sports supporters and fan clubs in order to prevent hate speech in stadiums during matches.

12. The Assembly underlines that sport should not only be a matter of competition, but also an environment in which people of all origins and walks of life can find a common ground and interact harmoniously in diversity.

B. Explanatory memorandum by Mr Goran Beus Richembergh, rapporteur

1. Introduction

1. Violence is no stranger to the world of sport in Europe. In fact, verbal violence is common in and around sports fields and is often so serious as to amount to hate speech and incitation to further violence.

2. Verbal abuse, in the form of insults and chants, includes the use of racial and xenophobic slurs as well as expressions of misogyny and homophobia. Manifestations of hatred may also be allusive, in written or visual form, with the use of symbols and objects (for instance the setting on fire of a dummy wearing the opposite team's kit, or of other items carrying the rivals' flag).

3. This phenomenon may occur in collective ways among sports supporters, often escalating into severe forms of violence, but it also takes place on the playing field, involving players, trainers or referees, as perpetrators or targets of abuse.

4. Increased attention has been paid to hate speech and acts of hatred in sport in recent years and measures have been taken in several Council of Europe member States to counter phenomena more or less directly relevant to it, and which are certainly detrimental to sport, such as hooliganism.

5. The Council of Europe is committed to raising awareness of this issue and identifying countermeasures. Recently, in Resolution 2200 (2018) on good football governance,[3] the Parliamentary Assembly took a stance on the issues affecting football, by far the most popular sport, referring, among other things, to violence and racist speech, sexual harassment and gender discrimination.

6. The Council of Europe's Youth Sector has worked on hate speech for years, particularly through the No Hate Speech Movement, an online youth campaign for human rights which aims to develop youth participation and citizenship. In November 2017, the No Hate Speech Movement and the Enlarged Partial Agreement on Sports (EPAS) held a joint workshop in Sarajevo on Combating Hate Speech in Sport, bringing together youth and sports officials, researchers and policy makers to analyse hate speech in sport and propose appropriate measures.

7. Sport is and should always be an instrument for promoting and transmitting values such as mutual respect and tolerance, in addition to being an activity to promote health and a form of entertainment accessible to all. There should be no place in sport for racist, xenophobic, sexist or homo- or transphobic ideas, nor for manipulation of supporters' sentiments for political gain.

8. Existing forms of prejudice, such as xenophobia and misogyny among many others, seem to find a particularly fertile ground in sports arenas. They interfere with the spirit of competition that is a natural element of sport, polluting and perverting it. Manipulation of supporters also plays a role: populists and other ideologues seek in sports fans a critical mass of people that may help them achieve political and electoral results.

9. This report is based on desk research, several hearings and a questionnaire sent out to the National Olympic Committees of Council of Europe member States. The replies received from the committees (only five of them) show that there is a lack of awareness of hate phenomena in sport.

10. The aim of this report is to raise awareness of these issues and of the need to address them. This is an opportunity to contribute to building a world of sport that is increasingly safe, open and inclusive, and which is instrumental in promoting peaceful coexistence in Europe and the fundamental values of democracy and human rights.

2. The world of sport today: challenges and potential

11. At the hearing held in Paris on 5 June 2018, the expert Aleksandra Knežević gave the Committee on Equality and Non-Discrimination an overview of the situation of sports, intolerance and discrimination in Europe, presenting both the benefits of sport and the challenges that it currently faces.

3. See also Doc. 14452 (rapporteur: Ms Anne Brasseur: Luxembourg, ALDE).

12. Sport is vital for the harmonious development of young people and is beneficial to physical, emotional and social well-being at any age. Research shows that sport helps children to develop self-esteem and reduces the risk of stress, anxiety and depression. Physical activity also teaches young people social skills, improves interaction, provides a sense of acceptance and belonging, and makes interpersonal communication easier.

13. Sport is also positive from a social point of view, both in the sense that it transmits positive values such as fair play, team spirit and the respect of rules, and that it is a constructive way of spending leisure time, reducing the risk of alcohol and substance abuse.

14. All these beneficial effects cannot be taken for granted and are only produced when sport is practised appropriately. Discussing the best way to deal with sports, or physical education in schools, does not fall within the scope of this report. However, it should be highlighted that discrimination based on whatever ground, harassment and hatred jeopardise the positive effect of sport. Sadly, as already mentioned, hate speech and intolerance are increasingly contaminating the world of sport. We should endeavour to better understand these phenomena in order to counter them effectively.

15. The world of sport reflects the inequalities and grounds of discrimination existing in society in general. Gender inequality, for instance, is even more conspicuous in this environment: women's participation, media visibility, leadership and remuneration simply do not compare to men's. Hate speech, especially based on ethnic prejudice, gender, sexual orientation and gender identity, is rife. Ms Knežević indicated, for instance, that being called "gay" is one of the most common insults in the sports environment, implying that a player is not performing well.

16. Motives of discrimination and hate differ to some extent across geographic regions. In the Balkans, for instance, xenophobic prejudice is the main motive, while racism is more present in western European societies. Physical violence can be witnessed on the sports field (among players) and around it (implicating supporters) and can at least partly be considered as a consequence of hate speech.

17. Intervening in the area of sports with a view to countering these phenomena means facing up to some challenges: while sport can be practised at school in the form of physical education, it is increasingly practised privately as an extracurricular activity, its cost being borne by the family, therefore becoming a luxury. The commercial side of sports, with expensive contracts for the best ranking athletes and a focus on advertising and on the sale of broadcasting rights, is prevailing. The lack of funds to support sports activities for "ordinary" athletes is also a challenge. This "commercialisation" of sport is diminishing its educational function and socially positive impact. However, popular athletes are very influential and their role in conveying positive messages should be further promoted.

3. Racism, intolerance and hate speech in sport today

18. I draw on the research conducted by Ms Knežević to say that all the main forms of hate speech and hatred are currently present in sport. Acts of hatred are generally committed by supporters, targeting either other supporters or players, and are based on all grounds of discrimination. I will list a few examples.

– Hate speech based on ethnic origin

19. On 19 February 2017, in Serbia, supporters of the Football Club Rad offended Luis Everton, a player of Partizan, greeting him with monkey cries due to his dark skin. The Football Federation of Serbia sanctioned FC Rad (two matches to be played behind closed doors). In April 2014, in Spain, supporters of Villareal threw a banana at FC Barcelona player Dani Alves. The Villareal Club was fined, while the perpetrator was banned for life from football stadiums.

20. The Fare Network (Football against Racism in Europe), an international umbrella organisation with members in over 45 countries, reports regularly on its website (www.farenet.org) about hundreds of registered racist, homophobic, gender-based and xenophobic incidents on sports fields, in Europe and beyond. On 19 June 2017, for instance, Fare reported that 89 incidents motivated by racism and far-right extremism had taken place at Russian football games in the 2016-17 season, according to data collected by the Moscow-based SOVA Centre. SOVA's latest Annual Report also reported that the Russian authorities had banned at least 191 fans from attending sports events. In addition, the Russian Football Union (RFU) expelled the influential fan leader Alexander Shprygin, who had been deported twice from France following violence at the Russia-England match at the European Championship, and who was known to be a sympathiser of the far-right.

21. Numerous racist comments were noted and reported in many countries after the French National Football Team won the 2018 World Cup in Russia. Most of them were found in social media, following inappropriate reports in some printed newspapers (for instance Italy's *La Repubblica*) and TV Shows (such as Trevor Noah's The Daily Show, in the United States), as well as in the comments by some politicians, spreading hate speech against the ethnic origin of the French footballers. The Warsaw-based Centre for Monitoring Racist and Xenophobic Behaviour registered numerous racist posts on Polish social media. According to what the Head of the centre, Mr Konrad Dilkowski, told the AFP Agency, racist comments and posts were noted under each news item published online, not only after the final match in Moscow between France and Croatia but also after Poland lost to Senegal in the group stage of the World Cup on 19 June.

22. According to the data collected by Fare, around 20 serious racist and xenophobic incidents occurred in November 2018 in several European countries. They highlighted in particular:

> *"3 November 2018 – English Championship: Middlesbrough v. Stoke City*
>
> *A group of Middlesbrough fans sang a sectarian song and directed racist slurs towards Stoke player James McClean at the end of the match.*
>
> *3 November 2018 – Bill Hill Cup: Pelsall United FC v. Real Aston FC*
>
> *The non-league cup match was abandoned after Pelsall United players racially abused several Real Aston players, with midfielder Shaq Ajmal being physically attacked.*
>
> *8 November 2018 – UEFA Europa League: Apollon Limassol v. Eintracht Frankfurt*
>
> *A group of Apollon Limassol fans performed Nazi salutes and directed racist slurs towards Eintracht Frankfurt's black players during the match."*

– Nationalism/xenophobia

23. In November 2013, in Croatia, at the end of the qualification game for the 2014 World Cup, domestic player Josip Šimunić shouted nationalist slogans which were offending for neighbouring countries. Šimunić was banned for 10 international matches and a 30 000 CHF fine was imposed by the Fédération internationale de football association (FIFA). In 2016, Šimunić lodged a complaint at the Constitutional Court, which was rejected, and he then applied to the European Court of Human Rights; in January 2019, the Court declared the application inadmissible. It is important to mention that the decision, among other things, reads: "The applicant, being a famous football player and a role-model for many football fans, should have been aware of the possible negative impact of provocative chanting on spectators' behaviour and should have abstained from such conduct."

– Homophobic and gender-related abuse

24. Kaster Semenija, a South African female athlete, was repeatedly abused and humiliated, including by the media, and even physically assaulted, for her alleged masculine nature and appearance. On 21 November 2016, in Spain, during the Atlético Madrid-Real Madrid derby, football player Cristiano Ronaldo was insulted by another player called Koke, who called him a "rich faggot". Koke was shown the yellow card. Later, invited to apologise publicly, he refused to comment. Numerous athletes in various sports have denounced the pervasive homophobia in their environment. Unlike other grounds of discrimination, homophobia is as prevalent among fellow athletes as it is among spectators. Some players "came out" as gay only at the end of their career, explaining that it would not have been possible to do it earlier, especially in team sports. This situation requires specific measures.

25. Here is an excerpt from the Fare monthly report for November 2018:

> *"23 November 2018 – Veronica Inside: Johan Derksen*
>
> *Football Commentator Johan Derksen made homophobic comments on TV show Veronica Inside relating to a petition by the Royal Dutch Football Association to make football stadiums more gay-friendly.*
>
> *23 November 2018 – FC Basel*
>
> *FC Basel has been accused of sexism after the women's team were not invited to club's 125th anniversary gala dinner but sold raffle tickets at the event to fund their team.*
>
> *24 November 2018 – The English FA Cup: Poole Town v. Dorking Wanderers*

A group of Poole Town fans directed homophobic slurs towards Dorking Wanderers players during the match."

– Politically based hate speech

26. Political tensions between communities are often reflected on sports fields through hate speech and abuse. Examples abound, particularly from countries that have experienced a collapse, such as the former Soviet Union and Yugoslavia. They also show how verbal violence may easily escalate to other forms of violence. An extreme case was the match between Dinamo Zagreb and Red Star Belgrade on 13 May 1990, referred to by some as "the match that started a war". Nationalist abuse started by the two clubs' supporters escalated into riots both in and outside the ground. While Yugoslavia was already on the brink of war, this episode is considered to have triggered the conflict. The importance of football, and sport in general, as a mirror and a catalyser of the tensions of society at large should not be underestimated. That is why countering hate speech and other manifestations of hatred on the sports field is crucial. As football writer Dave Roth says, "the game of May 13th, 1990 proved that, for better or worse, football can be more than a game".

4. From hate speech to hate crimes

27. As already mentioned, verbal abuse may pave the way for physical violence and hate speech may lead to hate crimes. I will mention one more example from the Balkans: on 11 June 2016 in the Serbian capital, a person was killed during a riot involving over 100 supporters of rival Belgrade clubs Crvena Zvezda and Partizan. The perpetrator was never identified. Examples can also be found in other countries and other sports. Tennis player Monika Seles, for instance, was the victim of a knife attack in Germany in 1993 that was interpreted by some as a xenophobic hate crime.

28. The link between hate speech and other forms of violence is also highlighted by the report published yearly since 2014 by Assocalciatori, an Italian association of football players, based on the cases of verbal abuse, intimidation and physical attacks on athletes. The report underlines that verbal abuse paves the way for other forms of violence, with intimidation and threats being the link.

29. The report is a good example of data collection and analysis, as it includes figures on the incidents disaggregated by geographic area, status of the victim (professional or amateur) and the type of perpetrator. It is interesting to note that in about 50% of cases, the perpetrators are a team's own supporters, while opponents' supporters are perpetrators in approximately 35% of cases. The data also shows that some Italian regions are considerably more affected than others. The various causes of abuse and intimidation are also worth noting: racism concerns over one third of cases, the rest being shared among other motivations that are mostly related to competition, such as losing a game or the risk of relegation. Collecting reliable, disaggregated and comparable data helps to understand the phenomenon and its evolution and is crucial for tackling it.

5. Council of Europe action on hatred in sports

30. Hate speech is a threat to human dignity and fundamental freedoms: as such, it is the subject of a lot of attention by the Council of Europe's various bodies and departments. Within their respective remits, and often through joint activities, they all work to counter this scourge, including in the area of sport specifically. In this report, I will present the actors and their main activities. The list is not exhaustive, as it focuses on those most relevant to the subject of this report.

– The Enlarged Partial Agreement on Sport

31. The Enlarged Partial Agreement on Sport (EPAS) is a platform for intergovernmental co-operation in the area of sport, based on the values of the Council of Europe, notably the prohibition of discrimination, and the rights enshrined in the European Convention on Human Rights (ETS No. 5). EPAS was established in 2007 and from the start identified promoting diversity as one of its main priorities. Its projects and events have addressed issues related to participation in sport, including discrimination based on gender, race, ethnicity, disability and sexual orientation. EPAS regularly organises Council of Europe Conferences of Ministers responsible for Sport. Six of these high-level conferences have taken place so far, leading to discussions and the adoption of resolutions on issues ranging from corruption in sports governance to match fixing and gender equality in sport. In my view, given the increasing phenomenon of hate speech, attention should be paid specifically to this issue, in the context of the more general work on equality and non-discrimination in sport on the occasion of the ministerial conferences. The last conference took place in Georgia on 16 October 2018.

– *Council of Europe conventions*

32. The Council of Europe has adopted several international treaties on sport. The European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120), which opened for signature in 1985 and entered into force on 1 November 1985, was the first international legal text to react to the tragic events at the Heysel stadium in Belgium. The Parties undertake to co-operate with each other (while encouraging similar co-operation between public authorities and independent sports organisations) to prevent and control violence and misbehaviour by spectators at sports events.

33. Based on the experience of decades of implementation of the 1985 Convention, a new Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (CETS No. 218) was negotiated, opening for signature in June 2016 and entering into force on 1 November 2017. The idea behind this text is to go beyond a violence-focused approach, and to switch to an integrated approach based on the three elements indicated in the title – safety, security and service. The other main innovation is the multi-agency approach: no single stakeholder, such as the police, should be expected to address alone safety and security of sports events – a range of agencies or actors must be involved. Article 5 on "Safety, security and service in sports stadiums" stipulates that the Parties shall "incorporate clear policies and procedures on matters that might impact on crowd management and associated safety and security risks" and refers in particular to "any violent or other prohibited behaviour; and any racist or other discriminatory behaviour". This wording is general enough to cover hate speech and acts of hatred. It is important that the interpretation and implementation of this text at national level takes into account the need to address these issues. While this provision applies specifically to sports stadiums, I would like to highlight that hate speech in sport does not only take place in sports grounds, but also in other physical spaces, in the media (traditional and social media alike), and beyond.

– *The No Hate Speech Movement*

34. The No Hate Speech Movement was a campaign launched in 2013 by the Council of Europe's Youth Sector, aimed at combating hate speech, particularly online. Led by the Council of Europe until 2017, the campaign remains active in the majority of member States thanks to national committees based on co-operation between civil society, particularly youth organisations, and public authorities.

35. The various departments of the Council of Europe often co-operate and carry out joint activities to fight hate speech. This was the case on 21 and 22 November 2017, when a workshop on "Combating hate speech in sport" was held in Sarajevo at the initiative of the Council of Europe's Enlarged Partial Agreement on Sport and the Youth Sector, together with the Ministry of Civil Affairs of Bosnia and Herzegovina. Thanks to the participation of experts and sports organisations, especially but not exclusively from the region, the workshop proved fruitful both in describing the state of affairs (different manifestations of hatred, people affected, measures taken to counter it) and in formulating recommendations (respectively addressed to the Council of Europe/EPAS, the European Union, sports education authorities and finally national, regional and local authorities).

– *ECRI*

36. In 2008, the European Commission against Racism and Intolerance (ECRI) adopted its General Policy Recommendation No. 12 on Combating racism and racial discrimination in the field of sport. The preamble of this recommendation highlights a series of principles that should be shared by all those who are active in the field of sport, and that as rapporteur I certainly aim to support. The text reads: "The fundamental values of sport which include fair play, friendly rivalry, mutual respect and tolerance should be at the heart of any sporting activity" and "[t]he protection against racism and racial discrimination is a human right, which must be secured also in the field of sport". Importantly, it adds that "[t]he general public should be involved in the fight against racism and intolerance in sport, in a spirit of international solidarity and friendship", which I consider a useful indication for legislators, policy makers and civil society representatives alike. Indeed, the general public should not only be on the receiving end of information and awareness-raising activities but should also get involved and actively promote tolerance and inclusion in sports. The preamble also states that "[s]port not only has a role in education and socialisation, but it can also help to explore and celebrate diversity". In addition to regretting the existence of racial discrimination in sport and condemning all manifestations of racism, xenophobia, antisemitism and intolerance, I deem it important that the general policy recommendation rejects "any attempt to trivialize racist acts committed during sports events". Indeed, today racism is too often

trivialised. We should not be caught off guard, distracted by the misleading tendency to underplay abusive language targeting minorities. While the threshold of hate speech is a thin line, we should be vigilant and try to be restrictive about what is acceptable, including in the world of sport.

37. General Policy Recommendation No. 12 sets out a wide range of measures to combat racism and racial discrimination in the area of sport, which include adequate legal provisions to combat racial discrimination and to penalise racist acts and provide training to police forces to enable them to identify, prevent and deal with racist behaviour on and around sports fields.

– *Memorandum of understanding between the Council of Europe and UEFA*

38. In May 2018, Council of Europe Secretary General Thorbjørn Jagland and the President of the European Union of Football Associations (UEFA), Aleksander Čeferin, signed a Memorandum of Understanding to strengthen co-operation and implement common strategies in four main areas:

– human rights, integrity and governance in sport;

– safety and security at football matches;

– mutual co-operation in the preparation of major football events;

– institutional co-operation.

39. The tools envisaged by this text are regular dialogue between the two organisations, joint initiatives, exchanges of good practice and targeted projects. As the opening paragraph of the Memorandum states, "[t]he Council of Europe and UEFA share a number of values and principles such as respect for human rights and dignity, democracy, non-discrimination, cultural diversity, tolerance, sustainability, solidarity, ethics in sport and a commitment to good-governance". In line with the reference to dignity, cultural diversity and tolerance, the text indicates that "[p]articular efforts will aim at … taking all necessary steps to prevent and combat any kind of racist violence, racism or other form of institutional or social discrimination, including hate speech".

40. The Memorandum does not create rights or obligations under international or domestic law, and "[e]ach party will manage its own budget" (paragraph 3.2). However, "[e]ach Party will endeavour to promote and implement to the fullest the detailed objectives and strategies of co-operation determined in accordance with this Memorandum and the Co-operation Plan" (paragraph 3.4). A co-operation plan and a road map will be adopted every two years and the two organisations will jointly review their co-operation.

41. The concrete activities that will be jointly planned and carried out will determine the actual scope and outreach of co-operation between the Council of Europe and UEFA. The language of the Memorandum of Understanding is encouraging and shows that both parties are convinced that sport may play an important role in combating racism and hate speech, and that they intend to exploit such potential. We can expect this co-operation to be fruitful and to have a positive impact. The Assembly should stand ready to support it, whether by participating in joint activities or giving them visibility within its remit.

– *Memorandum of understanding between the Council of Europe and FIFA*

42. On 5 October 2018, a Memorandum of Understanding between the Council of Europe and FIFA was also signed in Strasbourg. The Memorandum mentions under "basis of co-operation", among other things, that "[f]ootball is intended for all citizens, regardless of gender, race, age, disability, religion, nationality, sexual orientation and social background. Diversity must be promoted in and through sport and any kind of discrimination – either institutional or social – must be rejected". It also indicates in the section on areas and objectives of co-operation that "[p]articular efforts will aim at: combatting violence against women and promoting gender equality, including by further developing a gender sensitive approach in policies and measures and countering gender stereotypes and sociocultural barriers" and "preventing and combating discrimination of any kind in football". In view of the immense popularity of football in Europe, the potential impact of activities carried out in co-operation with the Council of Europe is considerable. This initiative deserves full political support and follow-up.

– *Texts adopted by the Parliamentary Assembly*

43. The Parliamentary Assembly has adopted several texts relating to sport. Resolution 2199 (2018) "Towards a framework for modern sports governance" is relevant, among other things, to the subject of this report. In his explanatory memorandum, rapporteur Mogens Jensen refers to violence and to racist speech among the criminal activities that have tarnished the image of sport in recent years, together with doping,

manipulation of results, corruption, illegal betting, financial malpractices and tax evasion. In this text, the Assembly commends the initiatives taken by national and international sports governing bodies to introduce codes and standards of good governance; it urges for the development and implementation of a solid set of harmonised good governance criteria; and it "sees the necessity to build on the same set of harmonised good governance criteria a Council of Europe convention on good governance in sport. This new convention could complement the existing conventional basis covering doping, match-fixing and spectator violence". Council of Europe conventions, often negotiated at the initiative of the Parliamentary Assembly, have contributed to shaping international and domestic law in Europe in a variety of areas, including sport. The idea of a new convention complementing the existing legal framework on sport should be strongly supported. Such a text should include provisions aimed at preventing and prosecuting hate speech and acts of hatred, and protecting victims.

44. The starting point of Resolution 2131 (2016) "Sport for all: a bridge to equality, integration and social inclusion" is the observation that "sport plays an important role for social cohesion by providing opportunities for people of different genders, abilities and nationalities or from different cultures to meet and exchange ideas, thereby strengthening the culture of 'living together'"; however, "sport for all is not yet a reality". The Assembly therefore recommends that member States refocus the priorities of their sports policies by taking into account the possible impact of sport on "health, social cohesion, education, youth, non-discrimination, and the reception and integration of migrants". Among the measures recommended by this text there is the establishment of "mechanisms for regular and systematic monitoring of discrimination in the field of sport, including incidents of discrimination based on a person's disability, racial, cultural or ethnic identity, age, religion, sexual orientation, gender identity, gender expression or sexual characteristics, in order to improve risk analysis in this area, explore targeted prevention strategies, facilitate the lodging of individual complaints and ensure that they are properly investigated".

6. Consultation of national Olympic committees

45. At the meeting held in Paris on 19 September 2018, I presented a questionnaire to be submitted to sports organisations, which was shortly afterwards sent out to the national Olympic committees of Council of Europe member States.

46. The aim of the questionnaire was to collect information on the nature of hate speech and hate crimes in the world of sport, including information on the individuals and groups targeted by hate speech and hate crime, and the measures adopted to tackle these phenomena.

47. The number of replies to the questionnaire was limited (five national committees provided feedback: Cyprus, Finland, Germany, Greece and Hungary), but their content was interesting. The underwhelming reaction might be viewed as relevant information in itself. It could, in other words, be interpreted as a sign of insufficient awareness or interest of sports organisations in the issues at stake. However, taking into account "survey fatigue" (individuals and organisations are constantly asked to report on their activities, provide information or share their views on a variety of subjects by both private and public interlocutors, which is consuming in time and resources), the meaning of the low number of replies should probably not be overplayed.

48. This report also presents a few examples of good practices in the area of preventing hatred and promoting inclusion in sport.

6.1. Main findings

49. The main elements that the questionnaire sent to national Olympic committees aimed to collect was the prevalence and nature of hate speech and hate crime in sport in Council of Europe member States, the existence of relevant and specific provisions and sanctions in sports regulations and whether they had been enforced, and the measures taken to counter such phenomena. The committees were also asked whether they themselves were directly involved in any of these activities.

50. The replies provided show widely varying levels of awareness of the phenomenon and of commitment to tackling it. In one case, almost all answers are negative or not available: no indications are given on the number of incidents or on whether there has been an increase in the number of incidents, nor have the grounds of discrimination involved been detailed. Information on sanctions and on policies are also not available. However, the committee concerned expresses the opinion that the actors that may contribute to preventing hate speech are the media, and the tools that should be used are those of the media. Another committee indicates clearly that hate speech and crime do not concern the world of sport in general, but only

football. Incidents are considered to happen “occasionally”, to be decreasing and to be systematically based (100% of cases) on grounds of national or ethnic origin or religion. The National Football Federation deals with these incidents and possibly sanctions the perpetrators. The Olympic committee is not involved in policies against hate phenomena.

51. Although there is no consensus, there are some similarities in the indications of the actors that may have a positive impact on the prevention of hatred in sports. Media and professional athletes are considered potentially effective allies by four out of the five respondents. Sports club management is mentioned three times. Actors mentioned only once or twice are the leaders of supporters’ groups, referees and trainers, as well as amateur athletes. One respondent also mentions the athletes’ parents, listed under “others” as they were not among the choice of responses.

52. The National Olympic Committee of Finland does not have figures to share on the overall number of incidents, the grounds of discrimination concerned or whether they are on the rise or falling, due to the fact that data management is not centralised by them. Each sports federation keeps records of its own disciplinary cases. Hate speech and hate crimes as such are covered by criminal law provisions rather than sports federations’ regulations. However, discrimination and discriminatory speech are mentioned in the rules or disciplinary guidelines of sports federations. Sanctions are applied accordingly: cases of discrimination and use of discriminatory language are sanctioned by the relevant sports federations. More severe cases, amounting to hate speech and even hate crimes, are handled by the police and the judiciary.

53. The Finnish committee explains that raising awareness of equality and non-discrimination and building a more positive and accepting atmosphere is their main focus, and they consider it to be far more useful than countering negative behaviour. In their view, it is more useful to build bridges between different kinds of people and try to make those who tend to discriminate change their views. Sanctions are not necessarily instrumental in educating, and often make perpetrators more hostile and difficult to reach. Several large sports organisations in the country are enforcing equality strategies. In line with these principles, the committee has participated in events such as the Helsinki Pride and “Against Racism!”, an event comprising music, games and activities for children that opened the Week Against Racism in March 2017.

54. In Germany, the questionnaire was processed by the Deutsche Sportjugend (DSJ), the German sports organisation for youth, and therefore the information is more specifically focused on youth. The DSJ does not collect or process data as these are dealt with at regional level and are not transmitted to the central level for reasons of legal data protection. Therefore, the organisation did not provide information on the prevalence of hate speech incidents and hate crimes, but this does not mean that it does not take these issues seriously. The DSJ explicitly states in its “Youth Code” that it advocates human rights and religious and ideological tolerance, as well as gender equality, and it “promotes the unprejudiced encounter of young people in sport, regardless of their origin, nationality, ethnicity, ideology, gender, sexual orientation, group membership or disability”. This organisation carries out information and training activities, including training of trainers who will go on to teach democratic values and anti-discrimination to young people taking part in sports activities. The DSJ is a member of the Sport and Politics for Fairness, Respect and Human Dignity Network, which includes sports organisations and public institutions, working together against right-wing extremism and all forms of discrimination

55. As regards the actors that may have the most impact, our German interlocutors indicate a wide range of them, including sports clubs and organisations as well as public and law-enforcement authorities and the media.

56. The National Olympic Committee of Greece also pays a lot of attention to hate phenomena and was able to provide detailed information. The committee considers that incidents happen “very often” and that they are on the increase. Specific provisions are laid out by the Laws on sports of 1999 and 2015, rather than in sports federations’ regulations. The laws states in particular that “[i]n serious cases of incidents, racist behaviours, and sports-related violence in general, on or off the field, the Minister responsible for Sport, through reasoned decisions based on proposals put forward by the Standing Committee for the Treatment of Violence, may impose on the relevant sports clubs, the Department of Paid Athletes and the Athletic Société Anonyme, as well as on the relevant sports federations and/or professional associations, but also individually to natural persons, fines of ten thousand (10 000) to one million (1 000 000) euros. In particularly serious cases it may also withdraw the existing specific sporting recognition”. In addition, draft legislation currently under preparation contains provisions describing in detail behaviour to be penally sanctioned (throwing objects onto the playing field, owning or using objects that may cause bodily injury, entering the sports field to interfere with the game, displaying slogans or images of abusive or racist content, using laser pointers

targeting athletes, referees or coaches or spectators). Sanctions include imprisonment of at least six months and a fine. Up to now, sanctions have been imposed by the Minister responsible for Sport, through motivated decisions based on proposals put forward by the Standing Committee for the Treatment of Violence.

57. The Hellenic Olympic Committee considers that prevention and awareness-raising at an early age are the most powerful tools, and therefore it works with the National Academy of Greece to carry out educational programmes in schools with the aim of raising children's awareness of the issue of violence in sport.

6.2. Good practices: education and awareness-raising activities in Europe

58. Thanks to an increasing awareness of the need to tackle hate speech and hate crime in sport, a variety of activities are carried out in Council of Europe member States. I would like to mention a few of them, starting with the examples described by the national Olympic committees that replied to our questionnaire (in particular Finland and Greece).

59. In Greece, the committee co-operates with the Hellenic Olympic Academy to carry out two pilot projects on the issue of hate speech in sport, aimed at children in the 6th grade, as part of the Olympic Values education programme. The first project focuses on managing the emotions of athletes after a defeat of their team. The defeated teams are called to face their defeat calmly and without throwing responsibility for their failure onto fellow team mates, especially if they are foreigners, immigrants, socially disadvantaged or part of a religious minority group. Through theatrical representations of virtual interviews with journalists, children express themselves with positive words and do self-criticism without negative or offensive remarks about their teammates. About 350 students from three schools have taken part in this pilot activity. The other project, called “Non-Violence Relay”, includes performances against hate speech, such as creating a human chain across a stadium to convey verbal messages based on Olympic values such as friendship, equality, respect, brotherhood, solidarity, coexistence and democracy. This activity was held in Athens with the participation of about 100 students from two schools.

60. The Hellenic Olympic Academy in co-operation with Hellenic Olympic Committee is also planning to implement a project on non-violence in sport, first in sports clubs and then in schools. The underlying idea is that violence as a social phenomenon is strongly influenced by the socio-economic environment but is mainly a learned behaviour. Therefore, people can revisit their behaviour and learn to be non-violent, responsible and respectful of all members of society. Sadly, as the Academy highlights, violence in schools and sporting events is increasing, and so are its negative effects on young people. The forthcoming programme will focus on children and teenagers’ personal development, emotional intelligence, empowerment and skills development. The aim is to have young people experience a personal change by using “the power of suggestion that makes us change our habits”. At the end of the first three-year period, an operational model will have been developed and the programme could be replicated in new contexts.

61. In Finland, the Olympic Committee is currently working on a policy to improve the inclusion of transgender and intersex people in sport. In addition, the University of Jyväskylä, in 2018, started a three-year research project called PREACT that is set to study harassment and other forms of discrimination in sport, focusing in particular on discrimination based on gender identity and sexual orientation. The project is led by sports psychologist Dr Marja Kokkonen and has a three-fold scientific objective: to examine the different types of discrimination (including harassment) in sport and in schools, to investigate the attitudes towards gender and sexual diversity in Finnish, British and Singaporean sports cultures, and to explore relevant practices and experiences in school physical education and sports club training.

62. Football vs Homophobia is an international campaign first launched in the United Kingdom that challenges discrimination based on sexual orientation, gender identity and expression at all levels in football. Based on visibility, information and awareness-raising activities in and around the football ground, this campaign is an excellent example of how “to realise the potential of football in society as a tool to create positive change”, to use the words of the promoters.

63. November 2018, Glasgow Rangers Football Club officially recognised Ibrox Pride, a supporters group established by members of the lesbian, gay, bisexual, transgender and intersex (LGBTI) community. This group aims to provide a social focal point for LGBTI supporters and at the same time it acts as an advisory group to the Rangers on LGBTI issues in football. The launch of this group is one more example of this football club’s successful efforts to create an inclusive environment among its supporters. In 2018, representatives of the Rangers had marched at the Pride Glasgow Parade.

64. The Rangers had previously adopted a "Diversity and inclusion Charter", which certainly represents a "good practice" in the area of anti-discrimination in sport. The foreword of the Charter states that "all fans should feel welcome and safe at football regardless of age, disability, gender, ethnicity, race, faith, sexual orientation or any other equality characteristic" and commits the Rangers Football Club to "promoting equality, valuing diversity and combating unfair treatment throughout our organisation, supporters and staff". The Charter not only states principles, it also, under the heading "legal obligations", includes formal commitments, including one that is particularly relevant to this report: "The organisation takes a zero-tolerance approach to harassment, victimisation or bullying." The Charter also contains provisions on its own implementation, requiring that a copy of it be published on the club's website and that the club's board is accountable for ensuring that the policy is observed. Is also sets forth that the club must provide training activities for its players, fans, staff and board members in order to raise awareness on collective and individual responsibilities in the area of non-discrimination.

65. Mr Carlo Balestri of the UISP (Unione Italiana Sport per Tutti – Italian Union of Sport for All), who contributed to the hearing held in Paris on 19 September 2018, presented the experience of the "Anti-Racism World Cup", an annual multisport tournament in its 22nd year which sees the participation of athletes from Europe and beyond. The last edition of the event saw over 5 000 people gathering together in a campsite for four days, with sports matches, concerts and debates. Competition is not the main aim of this tournament, and sports rules are modified to decrease the level of antagonism, with teams exchanging members or being created on the spot, the absence of referees and exchanges of gifts before the match. Sport was used mainly as a tool to enable people to meet and get to know each other. The Anti-Racism World Cup has inspired a large number of events in Europe and beyond and can rightly be considered as a "good practice".

66. These examples show that hatred can be prevented and addressed in a variety of ways and that different actors may help to achieve successful activities. The contribution of academic institutions is often crucial, as educational activities require adequate research and the use of pedagogical techniques.

7. Conclusions and recommendations

67. The contributions from experts and sports organisations, as well as the research work conducted thus far, have led me to the conclusion that while there is a growing awareness of and attention paid to hate speech and hate crimes in the world of sport, the information available lacks detail and figures. Further research is therefore necessary. Public authorities should take charge of this, possibly in co-operation with civil society organisations and academia.

68. In addition, legal definitions of hate speech and hate crime, as well as reporting systems, vary across Council of Europe member States. Harmonisation would make preventing and countering these phenomena more effective.

69. On the other hand, I have identified some useful practices that could be recommended to all Council of Europe member States. The contribution of a variety of actors is required to prevent and combat hate speech and hate crime. Sports clubs and organisations have a crucial role to play, as they work in direct contact with and may have a significant impact on both athletes and their supporters. The impact of legislation and policies should not be underestimated either.

– Council of Europe conventions

70. The Assembly should reiterate some indications contained in recent adopted texts and complete them with additional elements. Resolution 2199 (2018) "Towards a framework for modern sports governance", for instance, supports the idea of a new Council of Europe convention on good governance in sport to cover doping, match-fixing and spectator violence. In the light of the widespread hate phenomena in the area of sport, such a convention should also include provisions aimed at preventing and countering hate speech and hate crime, and protecting victims. The idea of promoting monitoring of discrimination in sport, as indicated by Resolution 2131 (2016), should also be reiterated.

– Reporting and data collection

71. It is important to make sure that reporting systems are made available to victims of hate speech. As some instances of abuse or stigmatising language may not amount to criminal offences, reporting them to law- enforcement services would not be appropriate. However, specialised services run either by the public authorities or by civil society organisations or other actors may ensure that such cases are taken into account,

with a view to responding to them and helping victims. Law-enforcement officers should be provided with training on hate crime, to ensure adequate skills in detecting, responding to and filing reports on hate crimes. A comprehensive and sustainable hate crime recording system should also be established.

– *Awareness-raising, information and training*

72. Prevention should be an important part of anti-hatred policies. To this end, education, information and awareness raising are crucial. Sport ethics but also human rights and citizenship education should be part of school curricula. In addition, physical education teachers and sports trainers should be trained to detect and respond to discrimination and abuse targeting athletes, whether at amateur or professional level. The media also have an important role to play in preventing hate phenomena. They should provide pluralistic, unbiased information as regards athletes, particularly those at higher risk of hatred, and their performance. They should also report objectively on hate speech incidents and hate crimes.

73. Encouraging school pupils to achieve high results in sports shouldn't overshadow the importance of promoting the numerous benefits of physical activity and fair play. Therefore, success and good marks in physical education cannot depend exclusively on formal sports results but also on individual efforts and dedication, taking into account the objective and subjective circumstances that may limit performance. Children and young people should not feel excluded from or deprived of sport but should be welcomed and included, taking into account to their abilities and skills. They should not be singled out as potential targets of hate speech or discrimination by fellow pupils or peers because of lower achievements in sport.

– *Co-operation*

74. Public authorities should engage in dialogue and co-operation with sports federations and sports supporter organisations and encourage them to integrate and promote democratic values, equality and non-discrimination, as well as to prevent and combat hate speech. Sports federations and individual clubs should also be encouraged to appoint outstanding athletes as ambassadors for equality and non-discrimination.