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ARTICLE

From Managing to Nullifying Risk: Blanket Bans, Football Supporters and the Rule of Law

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So-called 'blanket bans' on visiting football supporters travelling to fixtures of European football competitions appear to have become a key source of contention between clubs, fans, football and political authorities, and yet they have been largely neglected in academic analyses. This is despite the recent calls for the need to facilitate and respect football supporters' rights in Europe. By advancing these debates, this article questions: (1) how do blanket bans reveal new patterns in the regulation of football crowds in Europe? and (2) how the Saint-Denis Convention may serve as the principal operational and legal axis for shaping and legitimising decisions regarding blanket bans? We argue that public authorities' turn towards blanket bans, in some cases, symbolises a move from governing individuals towards populations; that seeks to nullify rather than manage risk. Further, we contend that blanket bans give life to new sites of contestations between European football's key actors and raise legal questions speaking to the legal responsibilities which are enshrined within the Saint-Denis Convention. Against this backdrop, this article argues for the enhancement of the Saint-Denis Convention's overseeing Committee's investigative, disciplinary and interpretive capacities to ensure that the duties it enshrines can yield the fullness of their potential within contracting states.

Keywords: regulation; football; visiting fans; blanket bans; human rights

Introduction

The practice of public authorities banning away supporters from attending, or even travelling to, European competition football fixtures – so-called *blanket bans*, such as the ban on Sevilla supporters travelling to Lens, or Eintracht Frankfurt supporters planning to attend the club's fixture against Napoli – has generated increased attention since 2020. To date, such bans have received comparably little academic analysis. Whilst such bans are not unique in domestic football contexts, their increased regularity in transnational Union of European Football Associations (UEFA) club competitions, coupled with their existence as a regulatory practice and their rationales and implications, invite socio-legal analysis. A glance at developments across the last few football seasons further underpins this necessity.

In April 2023, Italian authorities banned Feyenoord supporters from attending the club's Europa League fixture against AS Roma (Reuters 2023). This ban was reciprocated – meaning that both legs proceeded without away fans (BBC 2023a). Later that year, Sevilla (successfully) appealed the French authorities' decision to ban their fans from attending a Champions League fixture against Lens (ESPN 2023). In January 2025, it was reported that French authorities banned Feyenoord fans from travelling to Lille for another European fixture, with the 'real and serious risk of confrontation' between supporters cited as the reason for the ban (ESPN 2025). In 2025/26, away supporters were banned on public order and safety grounds by the respective local authorities before Napoli's home fixture versus Frankfurt, and Marseille's home fixture against Ajax (Austin 2025). Similarly, Birmingham's Safety Advisory Group's (SAG) decision to ban Maccabi Tel Aviv fans from attending the team's game against Aston Villa in Birmingham became subject to significant political debate (BBC 2025). Comprised of professionals from across a range of key public authorities, including the Police and the Local Authority, their function is to 'provide advice and support to Event Organisers and Statutory Bodies to enable them to deliver and discharge their duties and operate a compliant and safe event in line with legislation and guidance' (SAG, 2024). Other cases have seen clubs, such as Benfica, cancel away supporters' tickets following public order warnings from authorities (The Independent 2024) or authorities banning away fans from entering certain parts of the hosting cities (Austin 2025).

Far from uncontested, or without historical roots, this repressive practice and trend have been a source of political contention within and beyond the world of football. It has been subject to criticism from the affected clubs (and

their officials), journalists, supporter organisations like Football Supporters Europe (FSE) and players' organisations like FIFPRO (2024; FSE 2021). These blanket bans – not to be confused with those disciplinary penalties occasionally issued by UEFA – have been described as an 'extremely worrying trend' (FSE's Ronan Evain cited in Austin 2025). FIFPRO (2024) has called on the Council of Europe to consider the blanket bans, emphasising the need to avoid collective bans 'wherever possible'. The use of blanket bans also appears incompatible with recently articulated policy agendas and priorities on the European level. First, this includes most strikingly, UEFA's own *Safety and Security Regulations* (2019), stipulating that visiting clubs or associations should be allocated 5% of the stadium capacity as tickets for their own supporters. Second, blanket bans appear to contradict, and negate, both the letter and spirit of the Council of Europe's (2016) (internationally) legally binding Saint-Denis Convention,[1] which calls on signatory states to 'make football matches [...] enjoyable and welcoming for all citizens'. Indeed, on 6 October 2025, the Committee of the Saint-Denis Convention, which oversees the operation and implementation of the Convention, adopted a significant and landmark Recommendation on the use of collective bans on away supporters. In specifically, calling for states to prioritise 'individual accountability' over collective bans, and warning that collective bans 'should not become routine but rather serve as a last-resort option' (Council of Europe 2025a), the Committee's recommendation represents a significant evolution in how public authorities and sporting bodies are encouraged to balance security imperatives with fundamental human rights, given the well-established scholarly literature which has unequivocally affirmed the rights-infringing impact of such bans (James & Pearson 2015). Although attendance at a football match is not, in itself, a protected human right, the imposition of legal measures that restrict or prohibit individuals from travelling for the purpose of attending such events may nonetheless engage their wider rights under domestic and international human rights law. Therefore, the broader human rights consequences of restricting movement, whether through exclusion or banning orders, travel bans or other regulatory mechanisms, must be examined through the established human rights framework. In particular, their impact on the rights to freedom of expression and assembly, pursuant to Articles 10 and 11 of the European Convention on Human Rights (ECHR) is clearly engaged (James & Pearson 2018; Pearson & Stott 2022). Further to this, any interference with these rights must be lawful, in pursuit of a legitimate aim, and consistent with the tests of necessity and proportionality. In other words, measures targeting football supporters cannot escape human-rights scrutiny merely because the activity itself is not explicitly protected. As scholars observe, in an 'ever-expanding surveillance and intelligence-gathering nexus, the presumption of innocence and the principles of legality and proportionality are being increasingly marginalised' (Tsoukala, Pearson & Coenen 2016: 171). This critique highlights the importance of ensuring that state interventions, particularly those aimed at managing perceived disorder do not erode the core human rights principles they are required to uphold. As will be elaborated upon, although the Recommendation establishes crucial organisational and procedural parameters for the application of collective bans, its broader significance lies in how it redefines the reach of the Saint-Denis Convention's legal framework, embedding its normative standards more deeply within the structures of European football governance. Finally, the independent report published after the organisational mismanagement at the 2022 UEFA Champions League final at *Stade De France*, similarly, called for greater facilitation of visiting supporters travelling to European football fixtures (UCLF22 2023).

Against this dynamic legal and policy context, this paper contributes to ongoing academic debates on football supporters' rights and the regulation of football crowds. In particular, we address two key research questions. First, what do the recent 'blanket bans' on visiting supporters tell us about the regulation of football supporters in Europe? Second, in what ways may the Saint-Denis Convention serve as the principal operational and legal axis for shaping and legitimising decisions regarding blanket bans? In a response to these questions, we argue that the blanket ban remains sociologically illuminating because it expresses a wider shift in the regulation of football crowds in Europe which, for four decades, has reflected and accelerated risk-based crime control policy – which we theoretically unpack in the next section – targeting increasingly 'potential rather than actual behaviour' (Tsoukala 2009a: 68; see also Spaaij 2013). Attracting around 150 million spectators on an average season (Gomes & Glatz 2024) – all subjected to strict, ever-evolving regulations – European football constitutes an important case for understanding these processes. Within this regulated milieu, blanket bans illustrate how restrictions of supporters' movements, at once, operate on the individual and collective level; and how an established tool, increasingly resorted to in the *management* of risk, occasionally becomes the administrative conduit through which the outright *elimination*, or *nullification* of risk is effectuated. Yet blanket bans also reveal the conflicting interests and power struggles that play out between the various actors tasked with the management of risk and (in)security in European football. Essentially, they supplement the regulatory regime that for long has been driven by a logic of pre-emption, wherein interventions are increasingly focussed on managing speculative or anticipated threats rather than responding to actual legal infractions. Within this framework, individuals and groups are often subjected to restrictions: not due to demonstrable misconduct but based on a presumed propensity for disorder. This shift raises serious questions about the compatibility of such practices with established principles of human rights law.

This paper argues that the Saint-Denis Convention must now assume a central role within the governance architecture of European football. The Council of Europe's Saint-Denis Convention sets out the key measures for ensuring safety, security and service at sporting events (particularly football fixtures) in member states. Adopted in 2016, the Convention represents a significant normative shift in European policy. Rather than relying on a model centred on violence control, repression, and exclusion, it advances a more holistic, integrated approach to event management. This

approach seeks to cultivate safe, secure, and welcoming environments for all participants, including supporters, local residents, and other stakeholders. It explicitly affirms the need to 'maintain the rule of law in and within the vicinity of football and other sports stadiums' (Council of Europe 2016), signalling that policing and regulatory interventions in the sporting context must operate within established legal limits and respect core rights-based standards. As the only pan-European legal instrument explicitly dedicated to safety, security, and service at football matches and other sporting events, it possesses the legal mechanisms necessary to ensure that these objectives are realised in a manner consistent with fundamental rights (see Byrne & Lee Ludvigsen 2023a; 2023b). What is required, however, is stronger adherence to the Convention's core tenets – namely, the commitment to a multi-agency, evidence-based, and rights-compliant approach – in order to foster a more positive and proportionate culture of governance across football. The Convention provides a normative and legal backdrop against which to assess and regulate practices such as collective bans, ensuring that security measures remain proportionate, transparent, and compliant with fundamental human rights principles.

Guilt by Club Colour? Locating the Practice of Bans in a Culture of Prediction and Precaution

Since the 1990s, key social scientific debates have focussed on the predictive and precautionary rationales that, increasingly, came to underpin crime control policies, the pursuit of security and the criminal justice system in neoliberal societies. One common feature that can be extracted from the theoretically unique work of, for instance, Feeley and Simon (1992), Beck (1992), Garland (2001) and Zedner (2007) is that they all pinpoint a shift that has occurred against the backdrop of an intensified consciousness about risk and insecurity and the reflexive desire to colonise the future.

The preoccupation with future risks has become a site of political and institutional mobilisation (Beck 1992). It creates new systems of prevention, precaution and prediction. Under such conditions, the overriding concern is not necessarily crimes or wrongdoings that have been committed. Rather, new modes of risk management, crime control and security governance have acquired a new temporal logic; attempting instead to anticipate events before they even occur (Zedner 2007). As numerous studies have affirmed over the last three decades, crime control has therefore become characterised by (1) sorting the 'good from the bad' and trying to predict future behaviours instead of enforcing structural change (Bigo 2025: 75) and (2) the relegated significance of rehabilitation-based principles (Tsoukala 2009a).

Several scholars elaborate on the arrival and maturation of these precautionary principles in European football – illustrated by the proliferation of surveillance technologies, pro-active football-specific laws, risk assessments and policing strategies that have been embedded in the European 'counter-hooligan' assemblage (Pearson 2005; Tsoukala, Pearson & Coenen 2016; Spaaij 2013; Lee Ludvigsen 2022, 2025a, 2025b). Within this literature, the implications of blanket or collective bans as a regulative tool have evaded comparable academic scrutiny. This, despite the fact that they could be seen to symbolise a new or emerging chapter in the management of risk and control of supporters' movements in European football.

Meanwhile, individual football banning orders have been devoted much academic discussion. In the early 1980s, football clubs and authorities were behind the first attempts to ban supporters, despite their lack of legal power (Stott & Pearson 2008). Yet, ever since football-related violence and disorder were recognised as a European-wide issue in the mid-1980s (Tsoukala 2009a), the restriction on individual supporters' movements has represented a cornerstone of state-level and international legal-regulatory efforts to curb violent fandom. FBOs first appeared in England in Wales and originated from the Public Order Act 1986. As James and Pearson's (2018) analysis of the evolution of FBOs demonstrates, Section 30 of the Public Order Act 1986 meant that 'exclusion orders' could be imposed on individuals convicted of 'football-related' offences. Later, the Football (Disorder) Act 2000 served to establish the current FBO framework whereby domestic and international FBOs were amalgamated. Over time, banning individuals has become a common feature of the converging, 'pan-European' legal and policing philosophy that informed individual countries' approach to misbehaviour in football (Tsoukala, Pearson & Coenen 2016). Yet given its intrinsically restrictive nature, football banning orders are among the most controversial legal tools utilised against football supporters (Pearson & Stott 2022). Banning orders – whether issued upon a conviction, 'on complaint' (cf. Pearson 2005), or simply 'on suspicion' (cf. Tsoukala 2009b) ban individuals from attending football matches domestically and abroad. Their 'underlying rationale', as Stott and Pearson (2006: 242) write, 'is that major incidents of football crowd disorder at international football competitions are caused by the convergence of individuals, or "hooligans", predisposed towards creating disorder'.

Fine-grained analyses (primarily in the British context) of football banning orders' legal underpinnings and implications have been developed through examinations of their use in court (James & Pearson 2006), effectiveness and impacts (Hopkins 2014; Lowerson 2022) and infringement on supporters' civil liberties and human rights (Pearson 2005; Tsoukala 2009b). The mentioned, overarching logic, holding that banning orders play a causal role in preventing disorder in football has also been challenged (Stott & Pearson 2006). It is, however, another point we wish to make here, relating to the stated desire to pre-emptively control the movements of groups by banning those same movements in question.

As Tsoukala (2009a) contends, the 'rapid proliferation' of banning orders (issued to individuals) as a legal tool in the 1990s and 2000s symbolised an important turning point in European 'counter-hooligan' efforts. It demonstrated how individuals, now, could be 'deprived of their freedom of movement, within their own country or abroad, and subjected to other types of constraints on the basis of suspicion alone' (112). Banning orders must, hence, be considered one of,

if not the strongest illustrator of the adoption of actuarial, future-focussed crime control strategies within European football contexts. That is because banning orders relegated traditional – and foundational legal values – which spoke to due-process, the presumption of innocence, proportionality and proof beyond a reasonable doubt, to the margins of a legal and regulatory system which promoted instead ideas of a 'quick-fix' political response (Hopkins 2014) which assumed that restricting 'hooligans' movements translated to less disorder.

In this respect, different public authorities' decisions to ban whole groups of visiting supporters – not only individuals – for European competition fixtures, can be considered to reveal the contours of a new era of the control of football supporters' movements. While such blanket bans on visiting supporters have not been uncommon in domestic club competitions in Europe, including Greece (Mastrogiannakis 2016), France (Divišová 2019), Denmark (Reuters 2024) and Italy, this paper contends that they have acquired a new significance with their use in European club competitions. In the present day, individual and blanket bans co-exist. They are firmly founded upon a similar anticipatory logic, though, and as shall be unpacked, the latter takes aim at a population level, rather than at the individual. What occurs, then, is that the presumption of innocence for a whole group of people – by virtue of supporting the 'away' or 'visiting' team – is jeopardised. This leads to a situation of collective punishment that proceeds upon a new variant of guilt by association: a type of 'guilt by club colours' and a clubs' historical and/or contemporary reputation. Such an approach to football crowds, importantly, stands in direct contradiction to the literature that consistently affirms the heterogeneity of football supporters, in terms of behaviour and identity and maintains that, even within a club's fan base, various sub-cultures of fans exist (e.g., Kossakowski 2017; Pearson 2012).

Upon proceeding, it again remains important not to conflate the blanket bans analysed here with those that UEFA may retroactively issue as a punishment for misbehaviour (e.g., flares), racist and discriminatory conduct (which could include partial stadium closures or a ban on away supporters). Beyond the scope of our paper are also so-called club-imposed bans, that football clubs – as the owner of a football stadium and definer of the contractual terms and conditions concerning ticket purchases – can impose on individuals (see Lowerson 2022). This is rationalised by the fact that our unit of analysis here is not collective punishment but, rather, cases where public, administrative or public authorities in states have decided to impose bans on away supporters in the relevant state.

As we elaborate on next, the newfound deployment of blanket bans on visiting fans is both sociologically and legally significant in terms of how states deal with future risks. As contended, blanket bans transcend the realm of risk management and containment alone, into a new organisational space which seeks to create the conditions under which groups are less likely to commence their circulation and need management, as suggested by the order from the Prefect of Naples to '[forbid] the sale of match tickets by SSC Napoli to inhabitants of the city of Frankfurt' (Eintracht Frankfurt 2025, emphasis added). Accordingly, blanket bans give rise to new sites of contestation and mobilisation in football, and produce a series of legal questions regarding their proportionality, legitimacy and necessity.

From Managing to Nullifying Risk?

As Coenen, Pearson and Tsoukala (2016: 12) submit, '[a]ll football supporters (but particularly those who travel away from home) are met with invasive policing and legal measures to a certain extent'. The tendency of banning whole groups of travelling supporters, as argued, opens up a new chapter speaking to the political imperative of colonising the future. In an era where '[p]olicing preventively to have a secure world has become the Alpha and Omega of politics' (Bigo 2017: 316), the regulation of football supporters not only reaffirms extant trends but creates new trends on its own.

In an attempt to theorise how blanket bans on travelling supporters constitute a method of *nullifying* risk, we may return to Michel Foucault's influential text *Security, Territory, Population* (2007). Here, Foucault introduced the notion of security power, which complemented his earlier forms of disciplinary and sovereign power (Togman 2018). Foucault (2007) attributed a series of different qualities and attributes to security, insofar as he understood security primarily related to the management of good and bad circulations through calculations and anticipation of risk. Accordingly, while sovereign and disciplinary control is exercised on *individual bodies*, security is directed towards and governs populations. Hence, while disciplinary control governs individual supporters – by banning individuals or subjecting them to surveillance – security sets out to govern on the collective level (e.g., supporters of a specific team, or the *football crowd* more widely) (see Lee Ludvigsen 2025b).

Significantly, this means that any associated social control mechanisms do not necessarily target physical bodies; by preventing or punishing crimes, nor that they concern themselves with the 'individual transgressor' whose behaviour needs to be moulded (Togman 2018). Instead, the purpose is to keep types of criminality 'within socially and economically acceptable limits and around an average that will be considered optimal for a given social functioning' within a territory (Foucault 2007: 5). Accordingly, security seeks to ensure that circulations remain 'in movement'; minimise 'bad' circulations; and try to nullify, predict and limit future risk, while concurrently *accepting* that future risks, inconveniences and uncertainties cannot be completely removed (Foucault 2007: 65). As Togman (2018: 233) writes, the state, therefore, 'gives up' on its goal of completely eliminating criminality, and 'works in probabilities at the level of the collective'.

At first glance, it could be suggested that the blanket bans on away supporters in European football symbolise an intent to govern on the population level. However, this practice's rationale also problematises Foucault's thinking in

certain ways. Essentially, the liberal circulation of potentially 'risky' or 'problematic' visiting fans is *not accepted.* Instead, it is deemed unacceptable, eliminated and stopped before it even begins to circulate, whereas 'good' circulations (ordinary, peaceful supporters) may also be prevented from arriving in hosting cities – rather than being induced. While the presence of thousands of *home* supporters still, of course, might pose a risk to public order, the practice of blanket bans articulates an expression that it is easier to simply prohibit visiting supporters, than to allow the decades-long tradition of fans travelling to away matches to participate in the 'European ritual' to proceed (King 2003), or to use existing strategies and methods to sift out 'risk fans', and govern the ordinary supporters while adhering to UEFA's aforementioned ticketing regulations. Indeed, such arguments have been forwarded in critiques of the blanket ban practice. Commenting on the Italian and French authorities' bans of Frankfurt and Ajax fans in September 2025, FSE's executive director noted how the bans indicated that: 'We have public authorities that are giving up and saying that they can't do their job [...] It is an extremely worrying trend' (quoted in Austin 2025).

Needless to say, the imagination of nullified risk does not automatically translate to practice nor into a fully controllable future. For instance, in March 2023, it was reported that Eintracht Frankfurt fans clashed with police in Naples, although Italy's Interior Ministry had pre-emptively banned the German fans after their first Champions League leg weeks earlier, following supporter disorder (BBC 2023b; BBC 2023c). Two years later, it was reported that 17 Feyenoord supporters had been arrested, and another 64 turned away at the French border following the blanket ban issued ahead of their fixture against Lille in the Champions League (Reuters 2025).

The recent tendency where judicial, political or administrative authorities ban visiting supporters ahead of European fixtures therefore departs from the notion whereby circulations – and their inconveniences and risks – are accepted and *then* managed (cf. Foucault 2007). Instead, blanket bans symbolise a technique of government that outright cancels circulations at their source, supposedly before the risk of disorder even needs to be governed.

Power Games: Blanket Bans as Sites of Political Contention

Beyond representing a repressive technique, blanket bans must concurrently be approached as sites of political contestation. Any ban on visiting supporters precisely reveals the power struggles embedded within the regulation of football supporters and European football's governance. Although different EU texts, UEFA guidelines and standards, and the (1985 and 2016) Conventions of the Council of Europe, for decades, have contributed towards a convergence or even the 'Europeanisation' of legal, regulatory and policing mechanisms employed to manage football crowds across Europe (Spaaij 2013; Tsoukala, Pearson & Coenen 2016), the practice of blanket bans reveal how the enforcement and adaption of these regulations remain selective and ultimately depend on national authorities' own assessments, agendas and priorities. Whilst scholars have typically focussed on cases where host states (and their relevant authorities) find themselves in a situation where they have to (un)willingly accept, and comply with, the strict rules set out by UEFA before staging UEFA-fixtures (Antonowicz & Grodecki 2018), the blanket bans in certain cases reveal a different dynamic: exposing the limitations not only of supranational influence, but of clubs' and fans' power and a reassertion of state sovereignty.

In the case of the 2023 Europa League quarter-final between Feyenoord and Roma, away fans were banned from both legs. Here, Italian authorities first banned Dutch supporters from the second leg, whereby UEFA then instructed Feyenoord not sell tickets to Roma fans for the first leg (BBC 2023a). Blanket bans, hence, can create a tit-for-tat dynamic whereby many peaceful supporters end up caught in the middle. In January 2025, it was reported that Feyenoord filed a case with UEFA to overturn the ban on their supporters travelling to Lille, providing also a plan that would 'allow 2,000 visiting supporters to travel to Lille safely and responsibly' (Reuters 2025). The appeal was subsequently rejected by the French Council of State, which upheld the original ban, justified due to the risk of violence between supporters and law enforcement and imposed by the French Interior Ministry (Reuters 2025). In September 2025, the decision to forbid the sale of tickets to 'inhabitants of the city of Frankfurt' was made by the Prefect of Naples following a meeting at the Italian Ministry for the Interior, attended by federal and municipal agencies, and representatives from UEFA and Eintracht Frankfurt (Eintracht Frankfurt 2025).

In the latter two examples, the respective clubs' statements suggest their relative powerlessness in the face of blanket bans. The statement issued by Eintracht Frankfurt conceded that '... unfortunately, we have to accept the fact that the strategy of excluding away fans from high-risk Italian football matches – both domestic and European – has become common practice' (Eintracht Frankfurt 2025). Feyenoord expressed their disappointment but acknowledged that the club 'cannot do anything other than accept the outcome [the upheld blanket ban]' (quoted in Reuters 2025).

That said, the ban on Sevilla supporters travelling to Lens suggests that original assessments can be overturned. In December 2023, Sevilla supporters were banned from attending their match by French authorities with two days' notice. This ban followed a wider *domestic* ban on away supporters across French leagues and cups, following the tragic death of a Nantes supporter before a fixture against Nice a few weeks earlier. Following an appeal to the French Council of State and National Supporters Association, and a formal complaint to UEFA, the ban on Sevilla supporters – described by club president Jose Castro as 'an absolute farce and a breach of the rights of Spanish and European citizens' – was revoked a few hours prior to kick-off (quoted in Pavitt 2023). While obtaining insights into the inner-workings beneath blanket ban-related negotiations remains impractical, our point is that blanket bans constitute exemplars of how football clubs are elevated from the sporting into the *political arena.*

As expected, both club-specific supporter groups and FSE have contested blanket bans on travelling supporters. Supporters have argued, *inter alia*, that blanket bans criminalise football supporters and that supporters' voices have not been consulted in the decision-making. FSE (2012: 7), meanwhile, have for long been opposed to the principle of collective punishment (of football supporters), highlighting instead the need for any misbehaviour in football to be punished in ways that are 'fair, proportionate, transparent' and proceeding on the presumption of innocence before proven guilt. Supporters also underline that opening an away end constitutes a UEFA rule and must be respected in a similar way to other sporting rules, such as those determining the size of the football pitch (Austin 2025).

Overall, a key departure point is that bans on visiting supporters in European competition fixtures must be approached and analysed as an illuminating site of (trans)national political and social contentions. Beyond football, each ban lays bare the asymmetrical power relationships, and the struggle between national sovereignty, supranational, corporate (clubs') and supporters' power that characterise contemporary European football. The potential extension – or normalisation – of blanket bans is likely to become a key topic of discussion in policy and academic debates on European football in the years to come. Here, the human rights related and legal implications of blanket bans, discussed next, will feature centrally.

Lack of Balance between Security and Human Rights

Whilst there is no denying that serious issues of football-related disorder and violence continue to exist, it remains crucial to avoid myopic perspectives and remember that the majority of football supporters are peaceful (James & Pearson 2015). As Tsoukala et al. (2016) advance:

> Instead of regulating and policing crowds with the focus primarily on preventing antisocial behaviour and crime, the state should be placing the positive human rights of supporters at the forefront of its considerations. The state should be careful not to criminalise, or otherwise limit through various proactive mechanisms, activities that form part of supporter culture but which do not severely restrict the rights of others where these activities are associated with rights to free expression (176)

As scholars, journalists and independent reports have established, however, it remains the case that repressive mechanisms, all too often, jeopardise supporters' human and civil rights (UCLF22 2023; Lee Ludvigsen 2025a; Turner & Fitzpatrick 2025). In the aftermath of the 2022 UEFA Champions League Final in Paris, Scraton's (2023) incisive and uncompromising critique illuminated the systemic vulnerabilities and failures that football supporters continue to face. Through a series of probing questions, he foregrounded the urgent necessity for a fundamental re-evaluation of the institutional frameworks governing crowd management and fan welfare:

> How were the core principles of crowd safety, venue management, personal security, and duty of care so profoundly compromised by stadium authorities, stewards, and police? Why was a calm and defenceless crowd subjected to violence and tear gas while confined in restricted spaces? How did an event of such global prestige become the site of extensive personal suffering, psychological trauma, and harm? (25).

By articulating these questions, Scraton (2023) underscored the deep legal and operational failures embedded within the organisation of major football events. His interrogation not only challenges the adequacy of existing safety protocols and governance mechanisms but also calls for a broader critical reappraisal of how football institutions and national authorities conceptualise, and enact, their duty of care, and wider legal responsibilities, towards spectators. In this respect, despite UEFA, the EU and Council of Europe's discursive emphasis on the need for dialogue with supporters, and their recognition of supporters' rights (Lee Ludvigsen 2025a), the ongoing debate around bans on visiting supporters raise several important legal questions in view of the manner in which they objectively impede, and negate, the prospects of a human rights-based approach towards the regulation of football supporters.

Specifically, we argue that the obligations and responsibilities articulated in the Saint-Denis Convention not only acquire renewed significance (Byrne & Lee Ludvigsen 2023b) but must now serve as the primary legal and normative framework guiding the operational, logistical and procedural decision-making with respect to football supporters across Europe. Put differently, the Convention must transition from the margins to the centre of European football's governance architecture. As argued elsewhere, despite its relative infancy within the broader framework of European legal infrastructure, this Convention, grounded within an integrative approach based on the mutually reinforcing pillars of safety, security, and service 'concretises the procedural, operational, logistical, and administrative measures necessary to ensure a safe, secure, and welcoming space at football and other sporting events' (Byrne & Lee Ludvigsen 2023b: 5). Ratified by 31 member states of the Council of Europe, in addition to the Russian Federation (per October 2025), the Convention represents a vital supranational reference point for the formulation, guidance, and implementation of best practices concerning the safety of sporting events and those who attend them. As Gomes and Glatz (2024: 35) argue, through its multi-stakeholder configuration and its underlying emphasis on human rights protection, the Convention 'strikes the necessary balance between preventive, dissuasive and repressive measures, working in partnership with

all the relevant stakeholders and focusing on the protection of the rights and freedoms of all participants, including spectators'.

Spectator safety and the management of the natural organisational processes which company fan movement, thus permeates the Convention's operational mandate, which traverses 22 wide-ranging articles (Byrne & Lee Ludvigsen 2024). These range from requirements for robust domestic coordination to ensure a multi-agency approach to safety, security, and service at sporting events (Article 4), to the establishment of well-tested emergency and contingency procedures (Article 7), and the prevention and sanctioning of offending behaviour (Article 10). Notwithstanding the Convention's detailed articulation of a comprehensive framework of obligations incumbent upon signatory states, the increasing regularity of the imposition of blanket football bans by certain states calls into question both the normative force of the Convention and the degree to which its provisions are being meaningfully implemented.

Indeed, the need for a more progressive and rights-based approach to the treatment of football fans, one that moves away from a predominantly punitive model of policing, was also clearly underscored by the publication of the independent report following the 2022 Champions League Final in Paris. Despite the recognition that football supporters 'are free to travel to host cities with or without tickets' (196), it noted nonetheless – from a crowd management and organisational standpoint, that 'an overly securitised approach, unilateral actions by police, an overwhelming focus on misperceived public order threat' (197) were direct contributory factors which led to the near-catastrophic situation outside *Stade De France*. Indeed, UEFA's own institutionally commissioned report, whilst acknowledging at least textually – that the Saint-Denis Convention establishes 'a comprehensive framework against which a safety, security and service model must be developed for football events with an international dimension' (UCLF22 2023: 31), nonetheless concluded that the 'model laid out in the Saint-Denis Convention, was ignored in favour of a securitized approach' (13).

Within the Saint-Denis Convention's framework, the emphasis on organisational and logistical integrity as a prerequisite for ensuring fan safety represents a fundamental cornerstone of its normative architecture. Central here is Article 8, which enshrines the Duty of Engagement, a provision designed to institutionalise effective communication, consultation, and collaboration among football supporters, local authorities, and national agencies. Its purpose is to ensure that football can be experienced in an environment that is not only safe and secure but also grounded in mutual trust and participation (Byrne & Lee Ludvigsen 2024). As the Committee of the Saint-Denis Convention has previously observed, football supporters are frequently 'the principal victims of football-related violence and disorder and, on occasions, the counter-measures employed' (Council of Europe 2015: para 43). This recognition underscores the need for policies that do not merely *manage* supporters as potential risks but instead *engage* them as essential stakeholders in promoting safety and preventing disorder. Indeed, against this backdrop, the growing judicial recognition of the Saint-Denis Convention by the European Court of Human Rights (ECtHR), marks an important extension of its normative influence. The Court's emerging reliance on the Convention complements its own emphasis on participatory, rights-respecting approaches and signals a broader legal recognition that football-related regulation must be grounded in the rule of law and human rights principles. This trend is evident in cases concerning the lawfulness of state measures that restrict individuals' freedom of movement or liberty in the name of preventing football-related disorder. A clear illustration of this judicial development is found in *Seražin v. Croatia.*[2] Here, the ECtHR not only drew explicitly upon Article 10 of the Saint-Denis Convention, which addresses the prevention and sanctioning of offending behaviour at sporting events, but also relied on additional interpretive material, including the Standing Committee's consultative visit to Greece, to elucidate the practical and normative scope of Article 10 itself. By engaging with both the formal provisions of the Convention and the Committee's interpretive guidance, the Court demonstrated an increasing willingness to use the Convention as a persuasive authority in shaping its analysis of state obligations and individual rights. Taken together, these developments suggest that the Saint-Denis Convention is assuming a nascent yet steadily expanding jurisprudential role within the broader European legal and regulatory landscape. Its principles, particularly those relating to participation, proportionality, and rights-respecting safety management, appear to be informing and influencing judicial reasoning on the legality, legitimacy, and proportionality of state measures that restrict individual rights in the context of European football.

More broadly, given the Convention's well-articulated legal framework for promoting safety, security, and service within football environments, the growing recourse to indiscriminate collective bans stands in clear tension with the Convention's normative commitments to proportionality, dialogue, and the protection of supporters' rights within European football governance. Rather than addressing individuals as autonomous legal subjects, endowed with rights and responsibilities, the legal apparatus underpinning and surrounding 'blanket bans' increasingly manages individuals as potential risks to be pre-emptively neutralised and indeed, nullified. This involves the transformation of the individual into a passive object of surveillance, categorisation, and restriction. By their very nature, and as a natural corollary of their design, blanket banning orders operate on the basis of a homogenising assumption about football fans; namely, their presumed collective propensity for disorder or violent conduct. They thus raise serious human-rights concerns, especially regarding freedom of movement under Article 2 of Protocol No. 4 (A2P4) to the European Convention on Human Rights (ECHR). Although not ratified by several states, including the United Kingdom, Turkey, Switzerland and Greece, A2P4 still guides the vast majority of Council of Europe members and serves as a key benchmark for assessing mobility restrictions. The ECrtHR has stressed that A2P4 is 'intended to secure to any person a right to liberty of

movement within a territory and to leave that territory, which implies a right to leave for such country of the person's choice to which he may be admitted'.[3] While states enjoy a margin of appreciation in terms of the domestic fulfilment of the right in question, *Garib v Netherlands* confirmed that this discretion is not unlimited, and the Court will intervene where a state's justification for restricting A2P4 rights is 'manifestly without reasonable foundation'.[4] Applied to blanket football banning orders, these principles highlight the legal fragility of broad or speculative restrictions. Even in states where A2P4 is not binding, its standards nonetheless remain influential in shaping wider European expectations of legality, necessity, and proportionality in public-order regulation. Further concerns relate to the presumption of innocence, as enshrined within Article 6(2) ECHR and Article 48(1) of the EU Charter of Fundamental Rights. Blanket football bans imposed without a criminal conviction rely on predictive rather than adjudicated wrongdoing, thereby risking punitive effects without due process and potentially breaching both the substantive and procedural dimensions of the presumption of innocence. Such realities, therefore, underscore the need for individualised assessments, clear evidentiary thresholds, and accessible remedies. And while the broader human-rights consequences of the mobility restrictions stemming from the negative and homogenising categorisation of football fans have been well documented elsewhere (James & Pearson 2006; James & Pearson 2015; Stott & Pearson 2006; Stott & Pearson 2008), far less attention has been paid to a crucial parallel concern: the legal and normative tensions these banning orders create when viewed through the lens of the duties and obligations enshrined in the Saint-Denis Convention.

This previously neglected dimension has recently begun to gain recognition within European policy discourses. A significant step in this regard came with the adoption, on 6 October 2025, of the *Recommendation on the Use of Collective Bans Against Away Supporters* (Rec (2025)1) by the Committee on Safety and Security at Sports Events, which monitors and supports the implementation of the Saint-Denis Convention. The Committee explicitly acknowledged the legal and normative tensions surrounding collective banning practices, defining such measures as:

> a legal or statutory mechanism employed by a judicial, administrative, or sports authority, where applicable, to restrict or prohibit an individual or a group of persons—irrespective of the individual behaviour of each member of the designated group—from travelling to a country, city, and/or sports venue (Council of Europe 2025a: 2)

The Recommendation clarified that collective bans may be imposed at both national and European competitions, either following a conviction for a sport-related offence or on the basis of evidence suggesting a potential threat to public order. Their stated purpose is to prevent violence and disorder associated with sporting events (Council of Europe 2025a). Notwithstanding this, the Committee drew attention to the significant human rights concerns raised by such measures. In particular, it observed that 'decision-making processes regarding collective bans sometimes lack transparency and adequate stakeholder consultation' (3), situating this critique within the broader framework of European human rights law and principles of procedural fairness.

In response to these concerns, the Committee urged that collective bans be employed only in exceptional circumstances, and strictly where 'clear, recent, and objective evidence' demonstrates that such a measure is 'necessary to maintain public order and safety' (Council of Europe 2025a). It further stressed that blanket or indiscriminate bans should remain a last-resort option rather than a routine instrument of crowd management within European football. To ensure legal certainty and proportionality, the Recommendation advised that states: 'establish transparent legal frameworks that define the criteria and procedures for imposing collective bans, ensuring due process and the right to appeal' (Council of Europe 2025a). Perhaps most notably, the Committee cautioned against the imposition of collective restrictions on the basis of the actions of a small minority of offenders, warning that such practices are 'counterproductive and disproportionate, as [they] breed a sense of injustice and strain relationships between supporters and public and sports authorities' (Council of Europe 2025a).

This explicit acknowledgement represents a significant normative shift, recognising that while collective bans may serve short-term public order objectives, their uncritical or excessive use risks undermining the very principles of fairness, accountability, and dialogue that the Saint-Denis Convention seeks to uphold. More widely, this recommendation builds on previous consultative engagement by the Committee's Advisory Group on standard-setting and legal issues, who in May 2025 (Council of Europe 2025b), advised that individual football bans should be prioritised over collective bans and that collective sanctioning 'should be limited to truly exceptional circumstances and must not become an implicit rule or routine' (Council of Europe 2025b: 2).

Therefore, the Committee's recommendation offers crucial clarification regarding the governance of such bans. Specifically, the Committee underscores the need for a clear and well-defined legal framework – a litmus test – for determining the lawfulness and appropriateness of imposing blanket bans. First and foremost, any such restriction must be grounded in objective, recent, and credible evidence. Historical conduct alone cannot serve as a sufficient basis for restricting future travel or pre-emptively determining a group's likely behaviour. Instead, the use of current, relevant, and verifiable information is critical to ensure compatibility with legal standards espoused within the Convention. It is argued here that any domestic or national authority seeking to impose these all-encompassing restrictions should be required to publish the evidence upon which the decision is based. Such publication serves several essential purposes: it enhances transparency, facilitates public and judicial accountability, and ensures that authorities may be appropriately scrutinised or challenged where necessary (Aleksovska 2021; Bovens 2007). Moreover, this practice contributes

to the development of an evidentiary baseline, establishing clearer criteria by which the legality, legitimacy, and proportionality of blanket football bans can be assessed. In this respect, the Committee's previous recommendations that all decisions relating to collective bans be publicly declared and accompanied by reasoned justifications 'to avoid the perception of arbitrary or unfair treatment, enhancing trust and fostering a positive relationship with fans' (Council of Europe 2025b: 2) should not merely signal a semantic or procedural policy shift. Rather, these principles must form the legal and evidential foundation upon which future collective bans are determined, ensuring consistency with principles of due process and accountability.

Second, access to such evidence is also indispensable for evaluating the extent to which human rights considerations have informed the imposition of these bans. Given their far-reaching implications – particularly their interference with the rights to freedom of movement, freedom of expression and assembly, and the presumption of innocence – there is a compelling need to scrutinise the adjudicative rationale underpinning each decision. Without such transparency, the risk of arbitrary or discriminatory enforcement increases, thereby undermining public confidence in the rule of law and eroding the broader integrity of human rights protections. This concern is magnified by the diversity and heterogeneity of football fans as a social constituency, and by the disproportionate impact such bans may have on specific groups, including children, young people, and disabled fans, all of whom are now integral to the contemporary matchday experience (Penfold, Darby & Kitchin 2025; Thomson & Williams 2014). Understanding the legal and evidential basis for these collective bans, therefore, enables a more nuanced interrogation of the factors that informed the decision-making process – and those that were omitted or undervalued. For instance, to what extent were children's rights and the principle of the child's best interests considered in determining the ban's scope? (UNCRC 2013). Or, to what extent were disabled supporters and their representative organisations consulted prior to implementation? (Byrne & Lee Ludvigsen 2023). These questions underscore the necessity of ensuring that bespoke legal and procedural safeguards for these groups are properly integrated into decision-making processes. By recognising and engaging with the differentiated impacts of collective bans, the assumed homogeneity of football fans is challenged, fostering a more robust human rights framework for assessing both the lawfulness and fairness of restrictions on match attendance across European football.

Indeed, writing in the late 1990s, and in the immediate context of the legal measures introduced to combat football-related violence, Pearson (1999) issued a prescient warning: when laws no longer reflect foundational legal principles and instead begin to target an otherwise law-abiding majority, they risk abandoning the core values underpinning the rule of law. He identified key principles – legal certainty, due process, equality before the law, protection of individual liberty, the presumption of innocence and the prohibition of retroactive criminalisation – not only as deeply rooted in legal tradition but also enshrined in international human rights conventions. Crucially, Pearson argued that while these principles continue to serve as the normative foundation for the legitimacy of criminal law, they must also function as benchmarks against which legal practices are critically evaluated and held to account. Viewed through this lens, the increasing normalisation of collective football bans represents precisely the kind of legal drift that Pearson cautioned against. Such measures, by targeting groups rather than individuals, blur the distinction between preventative and punitive justice, and risk displacing responsibility from proven offenders onto the broader community of supporters. When applied indiscriminately, they challenge both the presumption of innocence and the principle of proportionality, cornerstones of the legal order that Pearson sought to defend. In doing so, collective bans expose the fragility of legal certainty in contexts where administrative expediency and public order concerns are permitted to override individual human rights.

It is precisely here that the Saint-Denis Convention assumes particular significance. As the leading European instrument governing safety, security, and service at sporting events, the Convention is explicitly anchored in a dual commitment: to promote effective preventative measures while ensuring the full respect of human rights and the rule of law. Its provisions, and the interpretative guidance issued by its Standing Committee, reaffirm that safeguarding public order must never come at the expense of legality, transparency and proportionality. In this sense, the Convention functions not merely as a policy framework, but as a legal checkpoint against the kinds of excesses Pearson warned about. It offers a contemporary mechanism through which the legality and legitimacy of collective bans can be critically examined, ensuring that states' responses to football-related disorder remain consistent with both the principles of human rights law and the foundational tenets of democratic governance.

However, for the Saint-Denis Convention to acquire genuine legal and regulatory traction, it is argued that its Standing Committee should be endowed with enhanced powers and responsibilities. Although the Convention does not automatically form part of domestic law in contracting states, strengthening the Standing Committee's investigative, disciplinary, and interpretive capacities could significantly improve compliance with its core legal principles. The Convention already establishes a basic oversight architecture through Article 13 (Committee on Safety and Security at Sports Events) and Article 14 (Monitoring and Evaluation). Collectively, these task the Standing Committee with reviewing state implementation measures, facilitating exchanges of good practice, and conducting consultative or assessment visits. Yet these mechanisms amount to a model of soft enforcement, grounded primarily in cooperation and peer review rather than binding obligations. To reinforce this framework, it is suggested that the current flexible reporting system under Article 14 be transformed into mandatory periodic compliance reporting. This would enable systematic evaluation of national legislation, policing strategies, and stadium-safety arrangements, as well as the clearer identification of shortcomings

across member states. Moreover, expanding the scope and authority of assessment visits would allow the Standing Committee to issue formal findings, recommendations, and required follow-up actions. Although such outputs would remain non-binding, they would heighten political and legal accountability and encourage greater adherence to the Convention's requirements on integrated safety planning (Arts. 5–7), supporter engagement (Art. 8), and the prevention and sanctioning of offending behaviour (Art. 10). Together, these enhancements would shift the Convention's implementation regime from one of soft cooperation to a more structured and quasi-evaluative system of oversight.

Moreover, Hafner-Burton and Tsutsui's (2005) analysis of the international human rights regime, whereby treaty expansion often produces a 'double-edged sword' (1378) and a 'paradox of empty promises' (Hafner-Burton and Tsutsui 2005), offers a pertinent analytical frame for assessing the Saint-Denis Convention. Their critique highlights how weak monitoring and enforcement systems encourage treaty ratification on the one hand, while failing to ensure meaningful implementation on the other. This structural vulnerability is equally relevant to the Saint-Denis framework, whereby, without credible oversight, its legal, operational, and human rights-oriented commitments risk remaining largely symbolic. Therefore, a strengthened Standing Committee could operate as a corrective to this implementation gap. Faced with evidence that a contracting state is, for example, neglecting supporter-engagement duties under Article 8 or applying disproportionate restrictions contrary to Articles 5–7, the Standing Committee could initiate a strengthened Article 14 compliance review, conduct an assessment visit, and issue a formal evaluative report with time-bound recommendations. Although such measures would remain non-binding, they would introduce a more structured, accountable oversight process. This would mitigate the risk of the Convention becoming another case of 'empty promises' and reinforcing the practical realisation of its normative commitments.

Conclusion: A Human Rights-Based Approach in the Regulation of Football Supporters?

Over the last decade, a series of international and domestic laws, independent reviews, media and academic discourses have all emphasised the need to engage with, and listen to, football supporters – while respecting their rights – in the regulation of football crowds in Europe (Lee Ludvigsen 2025a). As Jonathan Liew (2025), writing for *The Guardian*, has noted, '[t]here is … a broader cross-border debate to be had about the increasingly sinister securitisation of football fans at matches'. Amidst all of this, a new under-researched trend is seemingly becoming more prominent in European football competitions: blanket bans.

This paper addressed (1) what blanket bans in European football tell us, more widely, about how supporters are regulated, and (2) how these bans must be repositioned and assessed against the legal obligations espoused within the Saint-Denis Convention. In doing so, this article contributes to the wider literature that critically examines the legal regulation of football crowds (James & Pearson 2006; Lowerson 2022; Pearson 1999; Tsoukala 2009b; Tsoukala, Pearson & Coenen 2016).

Overall, we advance three main arguments. First, we argue that blanket bans – when used as a regulatory measure by political authorities ahead of European competition fixtures – symbolise a technique of government whose main rationality is the nullification of risk, rather than the management of risk. The underlying logic characterising blanket bans, therefore, is that circulations of transnationally mobile supporters must be cancelled *before* the need for management transpires. The theoretical implication of this, is that this technique of government, therefore, problematises Foucault's (2007) thinking, insofar as the acceptance of circulations, which he attributes to modern-day risk management, is replaced by an *unacceptance.* The cases of blanket bans, therefore, impose an obstruction on circulations that – as we argue – contradicts Foucault's idea of liberal security projects that served, primarily, to let circulations run their course across urban spaces, thereby 'ensuring trade within the town' (18). Certain states' turn towards blanket bans on visiting fans therefore represents a momentarily 'return' to sovereign power, as characterised by prohibition rather than freedom of circulation.

Second, we maintain that blanket bans simultaneously must be seen as a site of social and political contention. Each ban reveals the power struggles embedded in the legal regulation of supporters, and indeed the potential limitations of supranational conventions, fans and clubs' power next to the state's sovereignty. Finally, and relatedly, this analysis has demonstrated that blanket bans – measures that effectively operate on a logic of 'guilt by club colour' – are difficult to reconcile with the principles and obligations established under the Saint-Denis Convention. This tension is particularly troubling when such measures are implemented by states that have formally committed themselves to the Convention's standards. What is required, therefore, is not the introduction of a new legal framework, but rather a more robust and rigorous adherence to the Saint-Denis Convention itself. This would ensure that security measures adopted in the context of football (and sport more widely) remain proportionate, rights-compliant, and consistent with existing international commitments.

This also touches upon important questions speaking to how states' compliance with, or potential breaches of the Saint-Denis Convention may be policed or regulated. Indeed, the issue of non-compliance was also touched upon by the UCLF22 (2023: 204) report, which recommended that the Council of Europe's monitoring committee 'reviews how compliance with the Convention can be better monitored and its obligations more comprehensively enforced'. This observation reinforces the argument made in this article that the Convention's normative ambitions require a corresponding strengthening of the Convention's Committee's powers, particularly its evaluative, investigatory, and follow-up mechanisms, if contracting states are to be held to meaningful account. Enhancing these capacities would help

prevent the Convention from succumbing to the long-acknowledged historical pattern of international instruments that possess strong normative rhetoric but lack the institutional tools necessary to secure genuine state compliance (Oeter 1997).

Collectively, these arguments illuminate several key obstacles to the realisation of a coherent, human rights–based approach to the governance of football crowds. Such an approach would require states to foreground the protection of supporters' human rights and to refrain from interventions that contravene the rule of law, particularly those undermining the presumption of innocence and the principle of proportionality (see Tsoukala et al. 2016). The blanket bans examined in this paper not only stand in opposition to such an approach but also reinforce a long-standing, homogenising conception of supporters as inherent public order threats, subjects to be managed and contained rather than citizens endowed with rights (Lee Ludvigsen 2025a; Lee Ludvigsen 2025b). Ultimately, the implications of blanket bans extend beyond the realm of football: they exemplify a broader socio-legal tendency in contemporary governance, whereby the state's turn towards pre-emptive and repressive regulatory measures in the name of risk management increasingly erodes fundamental rights and civil liberties.

Notes

[1] Formally titled the *Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events* (CETS 218).

[2] Application no. 19120/15 (9/10/2018).

[3] *Buamann v France* [2001], Application No. 33592/86, para 61.

[4] *Garib v The Netherlands* [2016] Application no. 43494/09, para 116.

Competing Interests

The authors have no competing interests to declare.

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