

*National Research University
Higher School of Economics*

LAW FACULTY

Course syllabus

**«INTERNATIONAL SPORTS LAW.
OLYMPIC (PARALYMPIC) LAW »**

Master's program «Sports Lawyer»

Program drafted by: E. Batusova, ebatusova@hse.ru

Endorsed by the departmental meeting

«___» _____

The Head of the Department for Labour Law and Social Security Law

Approved by the Scientific Council of the Masters Program

«___» _____

Moscow

2017

1. Course Description

Title of a Course

International Sports law. Olympic (Paralympic) Law course is one of the branches of law which aims at teaching sport, Olympic and general social values and their reflection in regulation and agreements on an international level.

Course aim: The course aims at making students grasp the basic issues of international sports law and Olympic (Paralympic) law from both theoretical and applied viewpoint.

The main aim of the course is to provide students with general knowledge of the basic issues of international sports law and Olympic (Paralympic) law from both theoretical and applied viewpoint. The students will learn basic rules of International Sports law. The course will cover theoretical discussion that provides the essential background for legislation. The students will see what ideas formed the basis of Olympic (Paralympic) Law.

The structure of the course is based on traditional syllabus for Russian students. It includes discussion of basic concepts. One of the central topics of the course is sources, principles, subjects of International Sports law, Olympic (Paralympic) Law.

a. Pre-requisites

Before attending this course students shall have knowledge of general legal theory, public international law, constitutional law, civil law and the law of civil procedure, labour law.

b. Course Type

Elective. The course lasts for 2 modules.

2. Learning Objectives

Course objectives:

After successful completion of this course, students will be able to:

- know main issues of international sports law and Olympic (Paralympic) law concepts;
- understand main issues of International sports law and Olympic (Paralympic) law;
- analyze national and international approaches to the regulation of particular sports and Olympic (Paralympic) law issues;
- acquire skills necessary for drafting legal papers concerning international sports and Olympic (Paralympic) law issues.

3. Learning Outcomes

Students who demonstrate competence in:

- a. Stating a clear and concise legal argument, including stating the relevant issue; identifying, stating and explaining the relevant rule or doctrine; applying the rule or doctrine to relevant facts;
- b. analyzing statutes, regulations, administrative guidance, and other sources of the law;
- c. integrating legal theory and practice and how that integration affects the development of the law.

4. Course Plan

| No. | Topics | Total hours | Auditorium hours | | Self study |
|------------------------------------|---|-------------|------------------|----------|------------|
| | | | Lectures | Seminars | |
| I. International Sports Law | | | | | |
| 1. | International sports law: concept and development | 22 | 4 | 4 | 14 |
| 2. | Sources of international sports law | 22 | 4 | 4 | 14 |
| 3. | Subjects of international sports law | 22 | 4 | 4 | 14 |
| II. Olympic Law | | | | | |
| 1. | Olympic movement as a component of the international sport movement | 18 | 2 | 2 | 14 |

| | | | | | |
|---------------------|--|----|---|---|----|
| 2. | Basic provisions of Olympic Law | 12 | 2 | 2 | 8 |
| 3. | Subjects of Olympic Law | 20 | 2 | 2 | 16 |
| 4. | Legal basis of organizing and conducting competitions | 23 | 4 | 5 | 14 |
| 5. | Countering doping | 14 | 2 | 2 | 10 |
| 6. | Settling sport disputes in Olympic context | 18 | 4 | 4 | 10 |
| III. Paralympic Law | | | | | |
| 1. | History of Paralympic movement. Principles of Paralympic movement and Paralympic Games | 14 | 2 | 2 | 10 |

| | | | | | |
|--------|---|-----|----|----|-----|
| 2. | System of Paralympic governance on national and international level. | 10 | 1 | 1 | 8 |
| 3. | The fundamental principles of Paralympic movement. | 14 | 2 | 2 | 10 |
| 4. | Eligibility criteria and athletes classification. | 14 | 2 | 2 | 10 |
| 5. | Performance enhancement regulation in Paralympic context: doping; medicine; equipment; new technologies | 18 | 4 | 4 | 10 |
| 6. | Human rights in Paralympic context | 14 | 2 | 2 | 10 |
| 7. | Disputes in Paralympic context | 14 | 2 | 2 | 10 |
| TOTAL: | | 266 | 36 | 48 | 182 |

5. Reading List

a. Required

Basic textbook:

Mestre, Alexandre, *The law of the Olympic Games*. The Hague : T.M.C. Asser Press ; West Nyack, NY : [Distributed by] Cambridge University Press, 2009.

Siekmann, Robert C. R. *Introduction to international and European sports law : capita selecta*. The Hague : T.M.C. Asser Press ; Berlin: Springer, 2012.

Mestre A.M. *The Law of Olympic Games*. ASSER International Sports Law Series. T.M.C. Asser Press, 2009.

Bailey S. *Athlete First: A History of Paralympic Movement*. Wiley, 2008.

b. Optional

Ian S. Blackshaw. *International Sports Law: An Introductory Guide*. Springer, 2017.

James A. R. Nafziger, Stephen F. Ross. *Handbook on International Sports Law*. Edward Elgar Publishing, 2011. 584 ps.

Nafziger, James A. R.. *International sports law*. Ardsley, N.Y. : Transnational Publishers, 2004. 376 ps.

Ian Brittain *The Paralympic Games Explained: Second Edition*. Routledge, 1 июля 2016. - 246 ps.

The strict liability principle and the human rights of athletes in doping cases / Janwillem Soek. The Hague : T.M.C. Asser Press ; Cambridge ; West Nyack, NY : Distributed exclusively by Cambridge University Press, 2006.

Keith Gilbert, Otto Schantz. *The Paralympic Games: Empowerment Or Side Show?* Meyer & Meyer Verlag, 2008. 253 ps.

Ryan Gauthier. *The International Olympic Committee, Law, and Accountability*. Taylor & Francis, 2017. 220 ps.

Internationalism in the Olympic Movement: Idea and Reality between Nations, Cultures, and People. Holger Preuss, Karsten Liese Springer Science & Business Media, 2011. 160 ps.

Steve Bailey. *Athlete First: A History of the Paralympic Movement*. John Wiley & Sons, 2008 г. 302 ps.

Electronic sources:

Electronic subscriptions of the NRU HSE library: <http://library.hse.ru/e-resources/e-resources.htm>

World Legal Information Institute website: <http://www.worldlii.org/>

Database of national labour legislation of the International Labour Organization NATLEX: <http://www.ilo.org/dyn/natlex/>

<https://www.olympic.org/the-ioc>

<https://www.paralympic.org/>

<http://www.tas-cas.org/en/index.html>

<https://www.wada-ama.org/en/>

GARANT, electronic database system, English

1. Grading System

The grading system of the Law Faculty of the National Research University “Higher School of Economics” is in itself 10-point numerical, but verbal and numerical 5-point grades are also used in examination sheets in accordance with the statutory requirements. At an exam knowledge of each student is assessed with two grades given simultaneously due to the University policy and the national educational standard requirements. The grade scale looks as follows:

| Numerical 10-point scale | Verbal/numerical 5-point scale |
|--|--|
| 1 – unsatisfactory very bad bad | Totally unsatisfactory – 1 Unsatisfactory – 2 |
| 4- satisfactory 5 – very satisfactory | Satisfactory - 3 |

| | |
|---|---------------|
| - good - very good | Good – 4 |
| 8 – almost excellent 9 - excellent 10 – brilliant | Excellent - 5 |

Grades below 4 out of 10 (satisfactory or 3 out of 5) mean that the topic/course hasn't been mastered by the student and requires re-testing/re-examination.

1. Students are required to complete a essay on the topic on their will. The chosen topic shall be discussed with and approved by the lecturer. The essay must be turned in a two weeks before the date of the last class in the course schedule. It is not limited in pages/words and assessed on the basis of its academic value, but it is advised to have it between 6 000 and 9 000 words.

Grade will be based on the class work (20%) and essay (30%) and final exam - (60%).

2. Methods of Instruction

Lectures, Seminars, self-study, individual work.