

EDITORIAL

Editor in Chief

Prof. Dimitrios PANAGIOTOPOULOS, Lawyer, National and Kapodistrian University of Athens, Greece

Coordinators of Chapters

Dr. Elena ATIENZA-MACÍAS, Post-doctoral «Ramón y Cajal» Researcher, Deusto University, Faculty of Law, Donostia-San Sebastián, Spain

András NEMES Prof., *Semmelweis University Budapest, Hungary*

Anatoly PESKOV (*PhD*), *Attorney-at-Law, Chairman of the Board of Directors of the International Athlete Rights Association (IARA) and a member of the Board of Directors of the IASL(IASL), Russia.*

General Editing

Daphne - Panagiota PANAGIOTOPOULOU, Lawyer, LL.M., National and Kapodistrian University of Athens, Greece

Scientific Committee

Prof. Juan Francisco RODRÍGUEZ AYUSO (Dr.), International Doctor of Digital Law from the University of Bologna, Italy

Prof. Adel BEHBEHANI, *Lawyer, Civil law at the Kuwait University, Kuwait*

Prof. (Asst.) Anna di GIANDOMENICO, *University of Teramo, Italy*

Prof. Xiaoi LIN, *Science and Technology University of Nanjing, China*

Prof. Matthew J. MITTEN, *Lawyer, Marquette University, USA*

Prof. Dimitrios PANAGIOTOPOULOS *Lawyer, Attorney-at-law, National and Kapodistrian University of Athens, Greece*

Prof. Haris PAMPOUKIS, *Lawyer, National and Kapodistrian University of Athens, Greece.*

Prof. Huiying XIANG (PhD), *Shanghai University of Political Science and Law, China*

Authors

Prof. Adel BEHBEHANI, *Civil law at the Kuwait University, Kuwait (pp197-223)*

Prof. Matthew J. MITTEN, *Marquette University, USA (pp267-292)*

Prof. András NEMES, *Hungarian University of Sports Science, Advocate, Attorney-at-Law, Hungary (pp.398-444)*

Prof. Dimitrios P. PANAGIOTOPOULOS, *National and Kapodistrian*

University of Athens, Advocate, Attorney-at-Law, Greece (3-33, 165-171,223-239, 243-267,444-456,518-523).

Prof. Juan Francisco RODRÍGUEZ AYUSO (Dr.), *International Doctor of Digital Law from the University of Bologna, Italy (pp.487-500)*

Prof. Huiying XIANG, *Shanghai University of Political Science and Law, China (pp.316-334)*

Asst. Professor Anna di GIANDOMENICO, *University of Teramo, Italy (pp. 49-62)*

Asst. Professor Daniel GANDERT, Northwestern University Pritzker School of Law, USA (pp.292-315)

Assist. Prof., Dr. Marina KAMENEČKA-USOVA, EKA University of Applied Sciences, Latvia (pp.337-350).

Asst. Prof. Yousefi SADEGHLOO-AHMAD, Attorney- at- Law, specialist in Sport law, IRAN(pp.501-518).

Dr. Anatoly PESKOV (PhD), Attorney- at-Law, Chairman of the Board of Directors of the International Athlete Rights Association (IARA) and a member of the Board of Directors of the IASL(IASL), Russia (pp 63-153).

Karina ZALCMANE Prof. (Asst.), Director of Bachelor program "Law" at EKA University of Applied Sciences (Riga), Latvia (pp154-164)

Dr. Elena ATIENZA-MACÍAS, Post-doctoral «Ramón y Cajal» Researcher, Deusto University, Faculty of Law, Donostia-San Sebastián, Spain (pp. 473-487)

Dr. Vasilios OIKONOMOU, Lawyer, Greek Parliament Member, Greece(pp.372-398)

Dr. Maria FRANCESCA SERRA, Contract Professor in Sports Law at UNICUSANO, Italy (pp 33-46)

Dr. Nassereddine KESRI, Lawyer, Sports Law specialist and Doping in Sport, Algeria (pp.350-371).

Dr. Panagiotis D. PANAGIOTOPOULOS, Harokopio University, Department of Economics and Sustainable Development, Sports Management and Master of administration, Greece (pp.456-469).

Konstantinos KONSTANTINIDIS, MSc in Sports Science and Candidate of Sports Law, National and Kapodistrian University of Athens, Greece (pp.165-171).

Zografenia KALLIMANI, Lawyer (LLM in Sports Law), Law Degree, European University of Cyprus, Special Certificate of Sports law, National and Kapodistrian University of Athens, Greece (pp.165-171).

Balázs FARKAS, Lex Sportiva Hungarian Society of Sports law Ltd, Hungary (pp.398-444)

Kristina FRKOVIC, Third Year Law Student, Research Assistant, Marquette University Law School (Class of May 2022), USA (pp. 267-292).

Elham RAJABI ,PH.D Conditate in private Law of Islamic Azad University from Tehran (pp.501-518)

Tsubasa SHINOHARA, Ph.D. Candidate, University of Lausanne, Switzerland(pp. 172-194)

Jennifer TÓTH, Lex Sportiva Hungarian Society of Sports law Ltd, Hungary

PREFACE

Sports law is defined as the special law that investigates the landscape of legal relationships that develop in sports and agonistic scene. It investigates the problems that arise during sports and competitive activity, which is under a special regime of rules of law, structure, organization, implementation and human behavior, on the basis of experts and in a special context of rules of law, set by the legislator, or the private initiative and in which there is supervision and control by the administration and the established sports authorities according to the provisions of the Constitution, laws and *Lex Sportiva*. Physical activity that is not subject to legal restrictions and regulations, as defined above, is not a subject of sports law.

Sports Law consists of: a) Rules of law for sports action on special issues of sports and the system of sports clubs, b) Rules of institutional autonomy, of *Lex Sportiva* for special sports issues: the spirit of sportsmanship, conduct of games etc. and offenses in sports activity, c) Rules of law to regulate more general issues about sports, physical education and physical activity for the purposes of physical well-being, health and strength, d) Special laws that regulate matters on racial discrimination in sports, boycotts of matches, the legality of use and respect of trademarks in sports and other related matters as well as e) Legislation on advertising and television rights of sports teams and sponsoring. Common law rules and general principles of law also apply to sport on many issues either directly, due to the lack of specific rules, or indirectly by absorption, with a corresponding adjustment in their application, and often derogate from common law rules, for example the principle “*lex specialis derogat legi generali*”.

In this book with the title *Sports Law: Legal Responsibility In Sports, Ethical -Contracts - Arbitration – Management and Covid 19*, the legal horizon of sports is fundamentally investigated. In particular, the First Part includes issues concerning the introduction to sports law, with a focus on intra-sport rules as *Lex Sportiva*. The Second Part, in the context of Sports Law, deals with issues such as ethics and responsibility in international Sports activities and the application of the Wada Code. In the Third Part, issues regarding contracts in sports, contracts of athletes and the protection of athletes are examined. The Fourth Part addresses issues of sports jurisdiction, arbitration in sports and the operation of judicial bodies such as CAS at the international level and

the protection of human rights. The Fifth Part includes issues related to Sports Law and management such as the role of UNESCO in supporting the rights of children sports for all, the right of personal development, risk management in Top sport and sports activities as a lever for tourism development. The Sixth Part deals with issues related to Sports Law and COVID-19 as: The impact of coronavirus global health emergency on sports law, civil liability caused by the outbreak of coronavirus in sports law and athletes' agreements and FIFA COVID-19.

This work on Sports Law, beyond the educational needs in the corresponding university courses, is also addressed to those who face either theoretical problems in research, or problems of solving practical issues in daily practice related to Sports Law and for the subsequent researchers and a useful tool for further “digging” in the “plateau” of this science.

On the occasion of this publication, I would like to thank all the authors as mentioned in the editorial in the effort to complete this work. I would like to especially thank the board members, associates and members of the International Association of Sports law which has demonstrated a rich activity in the field of science since 1992 (year of establishment). For the editing of the texts and the corrections, I especially thank Daphne Panagiotopoulou, as the Special Editor of this work.

Thinking that Sports Law has already crossed the threshold of the 21st Century, on a path of no return and with the belief that we contribute to the development and future of the science of Sports Law, we publish this work as a small contribution to research and teaching of Sports Law such as in effective operation and the best administration of the sports clubs and institutions internationally.

Special thanks to the National and Kapodistrian University of Athens and dear colleague Professor Sergios Theodoridis EKPA publications manager for the consideration he showed to include this work in his publications.

Athens, March 2023

Dimitrios P. Panagiotopoulos

*Professor, National and Kapodistrian University of Athens,
Advocate in Supreme Court, President of
International Association of Sports Law (IASL)*

ABBREVIATIONS

ANOC	Association of National Olympic Committees
ANOCA	Association of National Olympic Committees of Africa
AIWF	Association of Winter Olympic Games International Federations
ASOIF	Association of Summer Olympics International Federations
CAS	Court of arbitration for Sport
CIAF	International Chamber for Football Arbitration
CoE	Council of Europe
CPS	Committee on Professional Sports
ECJ	European Court of Justice
EOK	Hellenic Basketball Federation
EOC	European Olympic Committees
EPO	Hellenic Football Federation
EU	European Union
FINA	International Swimming Federation
GFF	Greek Football Federation
GSS	General Secretary for Sports
HCRSL	Hellenic Centre for Research on Sports Law
HEPA	Health Enhancing Physical Activity
HFF	Hellenic Football Federation
IASL	International Association for Sports Law
ICAS	International Council of Arbitration for Sport
IF	International Federation
IFS	International Sports Federations
IJPE	International Journal of Physical Education
IOA	International Olympic Academy
IOC	International Olympic Committee
I.C.S.S.P.E.	International Council of Sports Science and Physical Education
IPC	International Paralympics Committee
ISLR	International Sports Law Review Pandektis
ISSF	International Shooting Sports Federation
IWBF	International Wheelchair Basketball Federation
JSAA	Japanese Sports Arbitration Agency
NOC	National Olympic Committee
NJW	Neue Juristische Wochenschrift
NOC	National Olympic Committee
OCA	Olympic Council of Asia
OJ	Official Journal
Ol. Ch.	Olympic Charter
OCOG	Organizing Committee of the Olympic Games
OGKS	Olympic Games Knowledge Services

ONOC	Oceania National Olympic Committees
PASO	Pan American Sports Organization
PSC	Professional Sports Committee
RAD	Remunerated Athletes Departments
R.D.D.S	Rivista Di Diritto Sportivo
SCC	Sports Controlling Council
SIRC	Sports Information Research Center
SPC	Sports Public Company
TAF	Arbitral Tribunal for Football
TAS	Tribunal Arbitral du Sport
UEFA	Union of European Football Associations
UIT	International Shooting Federation
UNESCO	United Nations Educational, Scientific and Cultural Organization
UOC	Union of Olympic Committees
WADA	World Anti Doping Agency
W.L.R.	Willamette Law Review