



Strasbourg, 12 February 2013

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Enlarged Partial Agreement on Sport (EPAS)

Seminar on Sports Judiciary and Human Rights

*co-organised by the Council of Europe
and
the International Institute of Human Rights, Strasbourg*

14 February 2013, 10:30am – 5:30pm

Fact sheet

Organisers

The Enlarged Partial Agreement on Sport (EPAS) of the Council of Europe and the International Institute of Human Rights, Strasbourg

Background

The seminar will focus on the co-existence of disciplinary systems in the sports movement and in public law (particularly human rights protection mechanisms). In recent years, a growing number of situations and cases have pointed out potential or actual clashes between the running of competitions and provisional measures decided by civil courts (e.g. F.C Sion cases). The sports regulations are challenged as not being compliant with human rights (e.g. processing of personal data for the purpose of anti-doping controls) and cooperation is difficult to establish between sports disciplinary authorities and public judicial authorities in cases addressed by both judiciary systems (e.g. corruption and match-fixing). The aim of the seminar is to establish dialogue on those issues between specialists of human right protection mechanisms, in particular the European Court of Human Rights (ECHR), and specialists of the sports arbitration mechanisms, notably the Court of Arbitration for Sport (CAS). The seminar intends to look at the bigger picture and not to focus on single cases.

The EPAS is planning to complement the seminar with a Round Table (on 15 February 2013), which could bring together governmental experts from its member States and which will be used to

gather information on the way in which potential conflicts between sports law and state law are prevented and handled in the various States.

In a spirit of dialogue and cooperation between the Public authorities and the Sports movement, the EPAS and the International Institute of Human Rights have united their efforts to organise this experts seminar on Sports Judiciary and Human Rights.

Aims and objectives

1. Consider promoting dialogue between sports arbitration and states' judiciary systems, at international level.
2. Raise awareness of the current issues regarding sports and human rights among the different authorities and the sports movement, to ensure the best possible compliance of arbitrary sports proceedings with fundamental rights.
3. Explore the conditions for a better definition of complementary roles and possible cooperation between sports disciplinary proceedings and states' courts proceedings.

Programme elements and methodology

The programme will include presentations by experts, critical input from top practitioners and discussions with the participants.

The event will be organised around four themes:

1. Coordination of public authority regulations in the field of sport
2. Coordination of legal remedies in the field of sport
3. Arbitrary independence in the field of sport
4. Human rights in the field of sport

Each theme will be presented by a researcher (a rapporteur) and will be put into perspective by someone confronted by this problem (a panelist).

Outcomes

The outcomes of the seminar as well as the presentations made by the rapporteurs and interviews with speakers will be published in the "European Journal of Human Rights" (in English or French). These may serve as a background for further steps to address the issue with enhanced policies, new standards, monitoring or scientific research initiatives.

They may be further considered by Governmental institutions, Sports organisations and research institutions.

Date and venue

14 February 2013

10:30am – 5:30pm

Council of Europe
AGORA Building – room GO1
1, quai Jacoutot
F-67000 STRASBOURG

Working languages

English and French

Preliminary Programme

10:30	Registration of the participants	
11:15	Opening session <ul style="list-style-type: none"> • Council of Europe • European Court of Human Rights • Olympic Movement • International Institute of Human Rights 	Snežana Samardžić-Marković, Director General of Democracy Guido Raimondi, Vice-President of the European Court of Human Rights Denis Oswald, IOC Member, Professor and Director of the International Centre for Sports Studies (CIES), Neuchâtel Sébastien Touzé, Secretary General of the Institute
12:00	Cocktail with snacks	
13:30	Introductory speech	Pierre Cornu, Senior Legal Counsel (CIES)
	1. Substantial and procedural coordination of rules in sports matters	
14:00	1.1 The coordination of public authorities' regulations in sports matters	Rapporteur : Simon Gardiner, Reader in Sports Law, Leeds Metropolitan University (U.K.)
14:20		Panelist : Alexandre Miguel Mestre, Portuguese Secretary of State for Sports and Youth
14:30	1.2 The coordination of legal remedies in sports matters	Rapporteur : Charles Dudognon, Director General of the Centre for the Law and Economics of Sport (CDES, University of Limoges), Editor-in-chief of JuriSPORT
14:50		Panelist : Carlos Schneider, Disciplinary Counsel at UEFA
15:05	Questions and answer from the audience	
15:20	Coffee-break	
	2. Overview of sports litigation in the light of the European Court of Human Rights' proceedings	
15:45	2.1. The independence of sports arbitration	Rapporteur : Matthieu Reeb, CAS Secretary General
16:05		Panelist : Antonio Rigozzi, Attorney-at-law and Professor, Geneva (Switzerland)
16:20	2.2. Sports litigation and Human Rights : lodging a sports-related application in Strasbourg: options, risks and obstacles	Rapporteur : Daniel Rietiker, Administrator at ECHR, Case-processing Division, and lecturer at the University of Lausanne
16:40		Panelist : Nathalie Korchia, Attorney-at-Law, Paris (France)
16:50	Questions and answer from the audience	
17:10	Conclusions and closing of the Seminar	Sébastien Touzé, Secretary General of the Institute Stanislas Frossard, Executive Secretary of EPAS
17:30	End	

Participants

Representatives of public authorities as well as sports organisations involved in legal issues:

- Officials from Sports Ministries
- Judges or judicial officers
- Arbitrators in Sports
- etc

The seminar will bring together up to 40 participants from the European Union, the Council of Europe and EPAS countries.

Terms of participation

- Participation in the seminar is free of charge.
- Travel and accommodation costs are at the participants' own expense.

Visas

- Participants are responsible for checking visa requirements and making their own visa arrangements before departure.
- The Council of Europe will prepare official notes for the selected participants requiring a visa. Visa-related expenses are borne by the seminar participants.

Registration and participation

Interested individuals can register by filling in the registration form attached to the information package **no later than 10 February 2013**.

Registration details will also be published on the EPAS website and distributed via EPAS Governing Board members and EPAS Consultative Committee members.

Information

Additional information on the programme of events can be found on the websites www.coe.int/epas and www.iidh.org.

Contact

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