

Annex D

Bibliography

In the footnotes of this opinion, the following publications are cited by reference to the author only.

a. Human Rights – Constitutional Law

- Andreas Auer, Giorgio Malinverni, Michel Hotellier : Droit constitutionnel Suisse, Volume II: Les droits fondamentaux, Berne (Stämpfli) 2000.
- Ian Brownlie : Principles of public international law, Oxford (Clarendon Pr.) 1998.
- P. van Dijk, G.J.H van Hof : Theory and Practice of the European Convention of Human Rights, The Hague [etc.] (Kluwer) 1998.
- Marc-André Eissen : Le principe de proportionnalité dans la jurisprudence de la Cour européenne des droits de l'homme, in Pettiti/Decaux/Imbert (dir.) La Convention européenne des droits de l'Homme, Commentaire article par article, Paris (Economica) 1999, pp. 65-81.
- Carlo Focarelli : Equo processo e convenzione europea dei diritti dell'uomo, Padova (CEDAM), 2002.
- DJ Harris, M O'Boyle, C Warbrick : Law of the European Convention of Human Rights, London [etc.] (Butterworths) 1995.
- Sarah Joseph, Jenny Schultz, Melissa Castan : The International Covenant on Civil and Human Rights, Cases, Materials and Commentary, Oxford, 2000.
- Jacques Mourgeon : Les droits de l'homme, Paris, 1998.
- Paul Sieghart : The International Law of Human Rights, Oxford, 1983.
- Frédéric Sudre: Droit international et européen des droits de l'homme, Paris 2001.
- Jean-Claude Soyer, Michel de Salvia : Article 6, in Pettiti/Decaux/Imbert (dir.) La Convention européenne des droits de l'Homme, Commentaire article par article, Paris (Economica) 1999, pp. 239-292.

b. Sports Law, in Particular Doping

- David L. Black : Doping Control testing Policies and Procedures: a Critique, in Doping in elite sport: the politics of drugs in the Olympic movement, Champaign IL (Human Kinetics) 2001, pp. 29-42.
- Jens Adolphsen : Anforderung an Dopingstrafen nationaler Sportverbände, SpuRt 2000, pp. 97-101.
- Margareta Baddeley : Athletenrechte und Doping aus der Sicht des schweizerischen Rechts, in Doping. Realität und Recht, Berlin (Duncker & Humblot) 1998 pp. 307-329. [cité *Athletenrechte*]
- Margareta Baddeley : Dopingsperren als Verbandssanktion aus nationaler und internationaler Sicht, in J. Fritzweiler (Hrsg.) Doping – Sanktionen, Beweise, Ansprüche, Bern [etc.] (Stämpfli [etc.]) 2000, pp. 9-38. [cité *Dopingsperren*]
- Darren Bailey: Doping Control in the United Kingdom, in Doping. Realität und Recht, Berlin (Duncker & Humblot) 1998 pp. 331-355.
- Michael J. Beloff : Drugs, Laws and Versapaks, in Drugs and doping in John O'Leary (éd.) Sport: Socio-Legal Perspectives, London-Sydney (Cavendish) 2001, pp. 39-56.
- Michael J. Beloff, Tim Kerr and Marie Demetriou : Sports law, Oxford (Portland) Oregon (Hart Publishing), 1999.

- Andy Curtis : Running Scared : an athlete lawyer's view of the doping regime, in *Drugs and doping* in John O'Leary (éd.) *Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 109-123.
- John A. Faylor : The dismantling of a German Champion: Katrin Krabbe and her Ordeal with the German Track and Field Association and the International Amateur Athletic Federation (IAAF), *Arb. Int.* 2001, pp. 163- 172.
- Herert Fenn : Ergebnisse der 4. Arbeitsgruppe: Doping. Zivilrechtliche und arbeitsrechtliche Aspekte, in [1st] *International Sports Law Congress*, Bonn (Aviro) 2000, pp. 218-221.
- Edward Grayson, Gregory Ioannidis : *Drugs, Health and Sporting Values*, in John O'Leary (éd.) *Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 243-254.
- Herwig Hasslacher : *Sanktionen und Dopingverfahren in Österreich*, in *Doping. Realität und Recht*, Berlin (Duncker & Humblot) 1998 pp. 103-117.
- Heinz Hausher, Regina Aebi-Müller : *Sanktionen gegen Sportler – Voraussetzungen und Rahmenbedingungen, unter besonderer Berücksichtigung der Doping-Problematik*, RSJB 2001, pp. 337-384.
- John Hoberman : *Learning from the past: The need for an independent doping control*, Paper presented at the Duke Conference on Doping in Sport May 7-8, 1999.
<<http://www.law.duke.edu/sportscenter/hoberman.pdf>>.
- Barrie Houlihan : *Dying to win: doping in sport and the development of anti-doping policy*, 2ème éd., Strasbourg (Council of Europe Publishing) 2001. [cité *Dying to win*]
- Mario Krogmann : *Sports Rules on Doping*, Paper Presented at the AIJA Seminar on "The Resolution of Sports Related Disputes: The role of Arbitration and ADR" (Rome, 17 May 2001).
- Doriane Lambet Coleman : *Evaluation of proposal by IOC and USOC to reform their doping control programs*,
<<http://www.senate.gov/~commerce/hearings/1020col.pdf>>.
- John O'Leary : *Doping Solutions and the Problem with 'Problems'*, in *Drugs and doping* in John O'Leary (éd.) *Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001. pp. 255-267. [cité *Doping Solutions*]
- Ralf Lenz : *Die Verfassungsmässigkeit von Anti-Doping-Bestimmungen*, Frankfurt [etc.], 2000.
- Jason Lowther : *Criminal law regulation of performance enhancing drugs: welcome formalisation of knee jerk response ?*, in *Drugs and doping* in John O'Leary (éd.) *Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 225-241.
- David Mc Ardle, 'Say it ain't so,mo.' *International performer's perceptions of drug use and the Diane Modhal affair*, in *Drugs and doping* in John O'Leary (éd.) *Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 91-108.
- Richard McLaren : *Doping sanctions : What Penalty*, *International Sports Law Review* 2002, pp. 23-37.
- Bernhard Pfister : *Die Doping-Rechtsprechung des TAS*, *SpuRt* 2000, pp. 133-137,
<http://www.sportrecht.org/Publikationen/PfiSpuRt2000-133.pdf>
- Jill Pilgrim, Kim Betz : *A Journey Through Olympic Drug Testing Rules, A Practitioner's Guide To Understanding Drug Testing Within the Olympic Movement*, *Vanderbilt Journal of Entertainment Law & Practice*, 2000, pp. 210-218, available online at
<<http://law.vanderbilt.edu/jentlaw/pdf/Olympic%20Drug%20Testing.pdf>>.
- Clemens Prokop : *Probleme der Aktuellen Dopingbekämpfung aus Sicht nationaler/internationaler Verbände*, in J. Fritzweiler (Hrsg.) *Doping – Sanktionen, Beweise, Ansprüche*, Bern [etc.] (Stämpfli [etc.]) 2000, pp. 79-84.
- John O'Leary : *Doping Solutions and the Problem with 'Problems'*, in *Drugs and doping* in John O'Leary (éd.) *Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001. pp. 255-267. [cité *Doping Solutions*]

Jason Lowther : Criminal law regulation of performance enhancing drugs: welcome formalisation of knee jerk response ?, in *Drugs and doping in John O'Leary (éd.) Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 225-241.

David McArdle, 'Say it ain't so, mo.' International performer's perceptions of drug use and the Diane Modahl affair, in *Drugs and doping in John O'Leary (éd.) Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 91-108.

Richard McLaren : Doping sanctions : What Penalty, *International Sports Law Review* 2002, pp. 23-37.

Bernhard Pfister : Die Doping-Rechtsprechung des TAS, *SpuRt* 2000, pp. 133-137, <http://www.sportrecht.org/Publikationen/PfiSpuRt2000-133.pdf>

Clemens Prokop :Vorschläge zur Reform der Doping-Regelungen der IAAF, in J. Fritzweiler (Hrsg.) *Doping – Sanktionen, Beweise, Ansprüche, Bern [etc.] (Stämpfli [etc.])* 2000, pp. 95-102. [cité *Vorschläge*]

Matthieu Reeb : Die CAS-Rechtsprechung in Doping-Fällen, in Röhricht/Vieweg (éd) *Doping-Forum*, Stuttgart [etc.] (R. Boorberg) 2000, pp. 63-70. [cité *Doping*]

Robert C.R. Siekmann, JanWillem Soek, Andrea Bellani (éd.): *Doping rules of international sports organisations*, La Haye (T.M.C. Asser Press) 1999.

Urs Scherrer : Strafrechtliche und Strafprozessuale Grundsätze bei Verbandsanktionen, in J. Fritzweiler (Hrsg.) *Doping – Sanktionen, Beweise, Ansprüche, Bern [etc.] (Stämpfli [etc.])* 2000, pp. 119-131.

JanWillem Soek : The Fundamental Rights of Athletes in Doping Trials, in *Drugs and doping in John O'Leary (éd.) Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 57-73.

JanWillem Soek : The Legal Nature of Doping Law, *The International Sports Law Journal* 2002/2, pp. 2-7.

Volker Soyez : Die Verhältnismässigkeit des Dopingkontrollsystems, Frankfurt [etc.], 2002.

Christopher Stoner : Recent developments in doping control, *Sports law administration & practice* November/December 1997, pp. 1-5.

Claudio M. Tamburrini: The "hand of God"? : essays in the philosophy of sports, Goteborg : Acta Universitatis Gothoburgensis, 2000.

Alessandro Traversi : *Diritto penale dello sport*, Milano (Giuffrè) 2001.

Michele Verroken : A time for re-evaluation: the challenge to an athlete's reputation, in *Drugs and doping in John O'Leary (éd.) Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 31-38.

Emile N. Vrijman : Harmonisation: A bridge too Far? A Commentary on Current Issues and Problems, in *Drugs and doping in John O'Leary (éd.) Sport: Socio-Legal Perspectives*, London-Sydney (Cavendish) 2001, pp. 147-165.

François Vouilloz: Règles de droit et règles de jeu en droit du sport - l'exemple du dopage, *AJP* 1999, pp.161-166.

Klaus Vieweg : Zur Einführung: Aktuelle Rechtsprobleme des Dopings, in Röhricht/Vieweg (éd) *Doping-Forum*, Stuttgart [etc.] (R. Boorberg) 2000, pp.13-16.

Aaron N. Wise : "Strict liability" drug rules of sports governing bodies, *New Law Journal* 2 August 1996 (Vol 146 N° 6755), p. 1161, available on Lexis. Pp. 1/5 - 5/5.

c. Fundamental Rights in Sports Matters, in Particular Doping

Rudolf Bernhardt : Fairneß-Garantien in den Europäischen Menschenrechten, in *Sport, Recht und Ethik*, Stuttgart [etc.] (R. Boorberg) 1998, pp. 53-56.

Thomas Summerer : Schutz der Individualrechte des Sportlers, in [1st] *International Sports Law Congress*, Bonn (Aviro) 2000, pp. 138-159.

Udo Steiner : Doping aus verfassungsrechtlicher Sicht, , in Röhrich/Vieweg (éd) Doping-Forum, Stuttgart [etc.] (R. Boorberg) 2000, pp. 125-137.

Peter J. Tettinger: Die Doping Problematik im Lichte der europäischen Grundrehtediskussion, in Doping. Realität und Recht, Berlin (Duncker & Humblot) 1998 pp. 89-112.