

Legal Study on the Construction of Olympic and Paralympic Soft Law about Manipulation of Sports Competition

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Abstract : The manipulation of sports competitions is a new type of sports integrity problem. While doping has become an organized, institutionalized struggle, the manipulation of sports competitions is gradually building up. This study aims to describe and understand how the soft Olympic and Paralympic law was gradually built. It also summarizes the legal tools for prevention, detection, and sanction developed by the international Olympic movement. Then, it analyzes the impact of this soft law on the law of the States, in particular in French law. This study is mainly based on an analysis of existing legal literature and non-binding law in the International Olympic and Paralympic movement and on the French National Olympic Committee. Interviews were carried out with experts from the Olympic movement or experts working on combating the manipulation of sports competitions; the answers are also used in this article. The International Olympic Committee has created a supranational legal base to fight against the manipulation of sports competitions. This legal basis must be respected by sports organizations. The Olympic Charter, the Olympic Code of Ethics, the Olympic Movement Code on the prevention of the manipulation of sports competitions, the rules of standards, the basic universal principles, the manuals, the declarations have been published in this perspective. This sports soft law has influences or repercussions in each state. Many states take this new form of integrity problem into account by creating state laws or measures in favor of the fight against sports manipulations. France has so far only a legal basis for manipulation related to betting on sports competitions through the infraction of sports corruption included in the penal code and also created a national platform with various actors to combat this cheating. This legal study highlights the progressive construction of the sports law rules of the Olympic movement in the fight against the manipulation of sports competitions linked to sports betting and their impact on the law of the states.

Keywords : integrity, law and ethics, manipulation of sports competitions, olympic, sports law

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