

SUMMER SCHOOL ON

SPORTS GOVERNANCE

June 18th - June 23rd, 2018

Universidade Católica Portuguesa - Porto
Foz Campus



FOR FURTHER INFORMATION PLEASE VISIT OUR WEBSITE:
WWW.DIREITO.PORTO.UCP.PT/SPORTS-GOVERNANCE

SCIENTIFIC COORDINATION:
Joseph Weiler, Miguel Poiares Maduro

EXECUTIVE COORDINATION:
Maria de Fátima Ribeiro

ETHICS: COMBATING CORRUPTION IN SPORTS ORGANIZATIONS
Cornel Borbély

SPORTS TAXATION
Michael Graetz, João Gama

SPORTS HISTORY
Pierre Lanfranchi

GOVERNANCE: INSTITUTIONS, ELECTIONS, GOOD GOVERNANCE PRINCIPLES AND MODELS
Joseph Weiler, Miguel Poiares Maduro

HUMAN RIGHTS AND SPORTS
Ron Popper

SPORTS MANAGEMENT
Michael Williamson

SPORTS LAW
Petros Mavroidis, Stephen Weatherill

SPORTS ARBITRATION
José Luis Andrade

SPORTS AND CORPORATIONS
Maria de Fátima Ribeiro

Sport is one of the most important economic and social areas of life and, arguably, the only one subject to a private governance regime. At the same time, while it is indisputable that sports matters ought to be governed under the private autonomy of sports associations, there are numerous areas where the intersection between public interest and private autonomy has either already triggered forms of public intervention or raised claims for increased public scrutiny. This creates important challenges for all those involved in Sports Governance: Sports Associations, teams, companies, players, agents, and those overseeing them. In particular, recent ethical, human rights, corruption and doping scandals, on the one hand, and increased concerns with tax evasion, economic conflicts of interest, distorted competition and match fixing in sports activities, on the other hand, have highlighted the importance of both reflecting on governance issues and providing training on good governance practices. This summer school will do just that with a group of lecturers among the very best and most experienced in the world of sports governance and related themes. The School will offer to all those involved in sports the opportunity to get to know a variety of private and public governance issues in sports: from ethical or human rights issues to arbitration, and from teams management or competition issues to the development and enforcement of principles of good governance.



2004 Tour de France
Paris, Champs Elysees

ETHICS: COMBATING CORRUPTION IN SPORTS ORGANIZATIONS

Cornel Borbély

This course addresses the principles of combating corruption in sports organizations, showing how an ethics committee must be organized effectively to successfully fight crime. The discussion will be completed with an analysis of practical examples.

Dr. Cornel Borbély is a Swiss lawyer, forensics expert and until 2017, the chairperson of the independent investigatory chamber of FIFA's Ethics Committee. Dr. Borbély has many years of experience as a public prosecutor of complex national and international economic criminal proceedings and investigations. He is also the commander of the Swiss German investigating judges of the military justice and a lecturer at various universities in the fields of economic criminal law, forensics and corporate governance as well as compliance.



FIFA Headquarters
Zurich, Switzerland

GOVERNANCE: INSTITUTIONS, ELECTIONS, GOOD GOVERNANCE PRINCIPLES AND MODELS

Joseph Weiler, Miguel Poiares Maduro

The Governance of Sports is a quasi-public matter that is fundamentally in the hands of private associations raising complex issues of legality, legitimacy, democracy, accountability and transparency. This course will review different issues and models of the transnational governance of sport. Among the issues to be dealt with will be: the demands and limits of democracy in the governance of sport and the organization and supervision of elections; the structure and challenges of international "sport federalism"; the distinctive nature of sport and its implications for legal rules designed to regulate economic activity; the significance of political neutrality and the intergovernmental geopolitics of sport governance; adjudication, checks and balance and the role and guarantees of independent committees; and the development of enforcement of good governance principles such as accountability and the prevention of conflicts of interest. The course will focus on structural problems in the governance system of FIFA rather than specific incidents – which explain and account for problems of transparency, integrity and accountability in the management of FIFA.

J.H.H. Weiler is University Professor at NYU Law School and Senior Fellow at the Center for European Studies at Harvard. Until recently he served as President of the European University Institute, Florence. Until his resignation in May 2017 he served as Member of the Governance Committee of FIFA. Previously he served as Manly Hudson Professor of International Law at Harvard Law School, Prof. Weiler is Editor-in-Chief of the European Journal of International Law (EJIL) and the International Journal of Constitutional Law (IJC). He holds a PhD. in European Law from the EUJ, Florence and honorary degrees from various European and American universities. He is the author of several books and articles in the field of European Integration, International and Comparative Constitutional Law and Human Rights Law – notably *The Constitution of Europe – Do the New Clothes Have an Emperor* (Cambridge University Press, translated into 8 languages) and of a novella "Der Fall Steinmann".

Professor Poiares Maduro is a full professor and Director of the School of Transnational Governance at the EUJ in Florence. He has been a regular Visiting Professor at Yale Law School, the College of Europe and Universidade Católica. From 2003-2009 he served as Advocate General at the European Court of Justice and from 2013 to 2015 he was a minister in the Portuguese Government. In 2010 he was awarded the Gulbenkian Science Prize. He was Chairman of the Governance and Review Committee of FIFA from June 2016 – May 2017.



European Court of Justice
Kirchberg-Poste, Luxembourg

SPORTS LAW

Petros Mavroidis, Stephen Weatherill

This course focuses on the relationship between EU law and UEFA/FIFA law, explaining why UEFA/FIFA practices must comply with EU law and also showing how far EU law is willing to recognize the specific nature of sport in general, and football in particular. It underlines the problems that emerge from the current poorly defined division of labour between the two systems and proposes an approach to reduce uncertainty and (eventually) under-investment in an area (football regulation) where regulation is necessary.

Petros-Constantinos Mavroidis is CAS Arbitrator. He is also the Edwin B. Parker Professor of Law at Columbia Law School in New York City. He was chief reporter for the American Law Institute study "Principles of International Trade" (2013) and his latest Major publication is *Regulation of International Trade*, MIT Press, 2016.

Stephen Weatherill is Jacques Delors Professor of European Law at the University of Oxford. He has written widely on aspects of EU law, and is the author of "Principles and Practice in EU Sports Law", published by Oxford University Press in 2017.



Allianz Arena
Bavaria, Germany

SPORTS TAXATION

Michael Graetz, João Gama

This course will consider the tax laws of the United States and Europe with regard to athletes and sports franchises. Subsidies and preferences provided through the tax laws will also be considered.

Michael J. Graetz is the Columbia Alumni Professor of Tax Law at Columbia Law School. Before coming to Columbia in 2009, he was the Justus S. Hotchkiss Professor of Law at Yale University, where he had taught since 1983. In 2013, Graetz was awarded the Daniel M. Holland Medal by the National Tax Association for outstanding contributions to the study and practice of public finance. He has been a John Simon Guggenheim Memorial Fellow, and he received an award from *Esquire Magazine* for courses and work in connection with provision of shelter for the homeless. He served on the Commissioner's Advisory Group of the Internal Revenue Service. He is a fellow of the American Academy of Arts and Sciences.

João Gama is the Director of the Graduate Tax Programme at the Law School of Católica University, in Lisbon. He is a senior advisor of the Albright Stonebridge Group, Washington D.C and a founding partner of Gama Glória law firm, in Lisbon. João is a member of the practice council of the New York University (NYU) International Tax Programme, and was a visiting researcher at NYU and Georgetown University Law Centre, and a visiting professor at Fundação Getúlio Vargas in São Paulo. João served as Secretary of State for Local Government of the Portuguese government in 2015, and as an advisor to the President of Portugal in 2011-2013.



UEFA Respect Campaign
EURO 2012

HUMAN RIGHTS AND SPORTS

Ron Popper

This course will look at the different human rights impacts of sport and major sporting events, and what organizers need to do to ensure respect for human dignity. Using examples from the Olympics and World Cup, and delving into issues such as the welfare of players and sponsorship, participants will examine in some of the biggest human rights issues faced by the sports industry, and the people it impacts.

Ron Popper is an independent consultant and lecturer specializing in business and human rights. His work in different parts of the world has included 10 years leading corporate responsibility programmes at the Switzerland-based multinational ABB. He is also a former member of the FIFA Governance Committee where he helped finalize the organization's human rights policy. Ron is currently also a Trustee and Advisory Council member of the Institute for Human Rights and Business, which has pioneered work on human rights and mega sporting events. He is a former newspaper and radio journalist, working for 25 years in the United Kingdom, Middle East and Switzerland on international current affairs and politics.



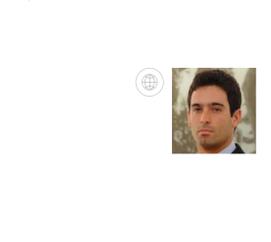
Permanent Court of Arbitration
The Hague, Netherlands

SPORTS ARBITRATION

José Luis Andrade

Students attending the Sports Arbitration course are introduced to the specific features and unique aspects of international sports arbitration. Through the study of practical examples, students will explore the reasons why arbitration has been adopted as the preferred method of resolution of sports disputes. Students will be provided with an insight into the Court of Arbitration for Sport (CAS) and will engage in discussions about real cases which will illustrate the particularities and challenges of sports arbitration.

José Luis Andrade is a Portuguese-qualified lawyer and currently an attorney-at-law and Head of Mediation at the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland. At the CAS, José Luis is responsible for the management of international arbitration proceedings in sports-related disputes as legal advisor to the Court, with a particular emphasis on football-related disputes. In addition, as CAS Head of Mediation, he is responsible for the management of all mediation disputes submitted to the CAS and for the promotion and development of the mediation department. Prior to joining the CAS, José Luis was an attorney at FIFA, having worked primarily for the FIFA Dispute Resolution Chamber in dealing with regulatory and contractual disputes involving associations, football clubs, players and agents. José Luis earned his LL.B. from Universidade Católica Portuguesa, his LL.M. from Georgetown University and his MBA from IE Business School.



Olympia Stadium (first "modern" Olympic Games, 1896)
Athens, Greece

SPORTS HISTORY

Pierre Lanfranchi

International Sporting Organizations were initially Gentlemen's Clubs and are now multinational organizations and complex NGOs. The objective of this lecture will be to focus on the evolution of their structure, election system and governance policy in the 20th and 21st centuries. Special emphasis will be put on FIFA and the IOC.

Pierre Lanfranchi is a Research Professor in History at DMU since 1993 and one of the creators of the MA in Sports History and Culture at DMU and the FIFA International MA in Management, Law and Humanities of Sport.

Pierre is co-Scientific Director of the FIFA International Working with the Internationalization of Sport sub-module leader. He is currently working with the Centre International d'Étude du Sport (CIES) as Scientific General Coordinator of the FIFA/CIES International University Network.



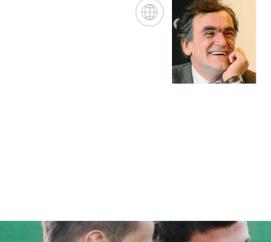
Football players talking to their agent

SPORTS MANAGEMENT

Michael Williamson

This course provides a broad overview of the sports business marketplace. The goal is to provide hands-on and practical knowledge to prepare students for sports business place challenges and topics which relate to the skills used in day-to-day operations of professional sports organizations. The course will bring theory to real world examples and take advantage of current events to provide an interactive learning opportunity.

Chief Strategy Officer at F. C. Internazionale Milano S.p.A since June 2017; previously Corporate Director since September 2015, with responsibilities covering corporate development and strategic projects and Chief Financial Officer, since March 2014, overseeing the club's financial restructuring, has developed his duties in investor relations, stadium operations and real estate, legal sector and information technology. Williamson also has a notable experience in the academic world, having been for many years adjunct professor at Georgetown University in the Sports Management programme.



Headquarters of a well-known multinational Sports Corporation

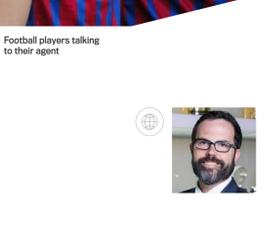
SPORTS AND CORPORATIONS

Maria de Fátima Ribeiro

This seminar addresses the legal forms of sports clubs, taking into account the special needs related to their governance and solvency and focusing particularly on the most adequate legal form for professional competitions: the sports company. The critical study of both the Portuguese model and Brazil's expected regulation model will be the starting point from which other solutions will stem. Additionally, the seminar will review an issue which is increasingly being discussed – the consequences of the insolvency of sports clubs and sports companies.

Maria de Fátima Ribeiro holds a PhD in Law and works as an Associate Professor at Universidade Católica Portuguesa (UCP), both at the Faculty of Law and at Católica Porto Business School, namely in the International MBA. She is the coordinator of UCP's Master's Programme in Law and Management and of the Postgraduate Programme in Organization and Management in Professional Football (Oporto and Lisbon editions).

She has participated as a speaker in numerous national and international scientific events in the fields of Business Law, Commercial Companies, Insolvency and Sports Companies. She is the author and coordinator of several national and international publications in various fields of Private Law (including Civil Law, Business Law, Commercial Companies, Cooperatives, Insolvency, Sports Companies), of which her monograph "Sports Companies" is an outstanding example.



Ribeira - riverside of Porto

ABOUT PORTO

The city of Porto, Portugal's second-city, is situated on the right bank of the Douro River, by the Atlantic Ocean. It owes its name to its ancient designation "Portus Cale" given by the Romans back in the 1st century BC due to its importance as a naval port, an importance which continued over time. Also known as "Cidade Invicta", or "unvanquished city", due to its rebelliousness over history, Porto is the home of the world-famous Port Wine, with its cellars and "Rabelo" boats, used to transport the wine from the majestic Douro Valley in the past. Elected Best European Destination 2017 by the travellers from 174 countries, this charming city's historical centre was classified by UNESCO as a World Heritage Site in 1996. Its monumental and artistic heritage, balmy weather, nice beaches, great seafood and blossoming cultural scene are just some of the reasons to visit this city. Yet, tourists are unanimous: "It is the people that make Porto special".