
Equitable Justice Principles and Doping Campaign Convention

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ABSTRACT

Today, following equitable justice not only in the courts but also in exclusive in criminal centers (administrative, tax and sport) regarding independent concept of criminal domain is considered essential. In fact, based on criminal domain expression which involves a wide concept of criminal rights, a new chapter was issued on trial of sport men accused of doping in sport convention. Since, violation of sport men rights was ethically regarded unacceptable but it was not necessary to observe their rights during examination of their violations in related conventions and criminal domain concept which made following equitable justice in exclusive sub criminal centers. An essential subject, so it was regarded completely different. Nowadays, doping is extremely used in sport society while its reason can follow economical, social political and cultural motivations. However, it has been seen that a special group, team or country has attempted to denigrated a sport men by accusing him to doping which is against sport ethics. Based on today is internal and international sport principles to fight with doping, one of their most important principles is worldly doping campaign convention. The Mentioned convention is regarded as the main mover to fight with this disaster while many countries has tried to follow this convention including equitable justice issues, in examining the sport man charges follows justice formalities. finally, regarding all these attempts, there are some significant and key equitable justice problem in sport men freedom and security right, the sentenced peoples right to accessing information and humanistic situations of accused people in the jail and getting rid of torture as well as supposing being innocent which are regarded as the disadvantages of this convention.

Keywords: Equitable Justice, Doping, Doping Campaign Convention, Criminal Domain.

Introduction

Principles of fair trial in the Anti-Doping Convention of the international instruments on the rights of the majority of the attention today is exercise. Since the concept of fairness

and justice rooted in the history of human civilization has existed since ancient times and it is considered inborn hearing. To be fair to consider how the justice system, especially

in sport in all legal systems is essential. But what is important Right to fair trial and the principles that ensure these principles in relation to suspected violations of sports rights. Convention against Doping in many cases there is a conflict with the principles of fair hearing. For example, one of the fundamental principles of a fair trial, Health equity is the Anti-Doping Convention has not been considered. Another principle of the right to liberty and security as well as athletes , Who banned access to information, Immediate presence of the judge and other officials of the Convention is the neglect of others. Therefore, to achieve a fair trial standards and ensure these principles, in particular the Convention on the fight against doping must All provisions of this Convention shall be evaluated and to meet the challenges in Chapter 8 of this Convention is given more attention.

Creation of a fair trial in the criminal realm

To achieve the common theme of "criminal jurisdiction" in broader instances of criminal defendants' rights, using two ping, they enjoy the benefits of a fair trial. Consumption of drugs and doping because most of the penalties are severe criminal. In this regard, many regulations imposed by the World Anti-Doping Convention is the most important. Today, considering the great importance of sport in the world and globalization, particularly in the fields of sports doping cases of international importance such as the Olympics, magnification is the people's judgment is right, if athletes use doping can be prosecuted in light of the examples of fair hearing to answer the charges. Criminal jurisdiction can be seen as a savior for many defendants. Because in many cases, the defendants used this concept can benefit from the advantages of a fair trial. Which, as noted above, were accused of doping by the same concept of a fair hearing. There are

many examples of fair hearing and a fair trial must be respected in all the elements of a fair hearing. For example, if an athlete commits doping in another country has been under trial, all instances of a fair hearing is injection molded. But as an example of one of these instances (the translator) is no fair trial cannot be said. That should say a fair trial is an integrated concept that must be met by all the elements of a fair trial goes. World Anti-Doping Convention of the examples in Chapter 8 of the Convention eat a fair hearing examined, The Convention comprehensively discussed in this chapter because the instances of fair trial, including the right to liberty and security of athletes, Right to access banned. To information, the right to prompt appearance before a judge or other authority, the right to humane conditions of open and freedom from torture, the presumption of innocence Hay Convention is void.

In line with this concept is beginning to be said that the scope of criminal case against the Federal Government is Aztrk. Aztrk, a German national workers, Committed a traffic violation, and the trial court should receive , After the court interpreter hired for his fees, he demanded of the person. Despite being condemned, paragraph 3 of Article 6 of the European Convention on Human Rights, knew of his right to free interpreter services. German court to enforce the Criminal binding not only knew and believed that since the investigation into the violation of an administrative investigation, It was not subject to Article 6 of the Convention and the right to free interpreter removal in these cases were not identified. Following the appeal against the sentence of the German government in the European Court of Human Rights, since the Court has violated the rights of the citizens of Europe member states, not only in national laws and regulations; But international documents, especially the fundamental freedoms of the European

Convention on Human Rights seeks, Vote for the condemnation of the German government and by virtue of the particular interpretation of Article 6 of the Convention provides, Criminal jurisdiction was born. European Court of Human Rights on the occasion of a broad interpretation of the scope of the criminal has lost a great desire to expand the scope of Article 6 of the European Convention on Human Rights to strengthen the protection of the rights of individuals. And certainly to protect individual rights as a corpus to support the community, peace and public order in and if people can feel the peace and stability of society under the umbrella over shadowing. One of the mechanisms employed by the Court in order to strengthen the protection of human rights and human dignity, must be sought in the criminal jurisdiction established by the Court will be back. With a particular interpretation of the European Court of Human Rights to provide the above article, the following changes took place in the legal system, Administrative and disciplinary proceedings eventually were subjected to Options in the criminal Procedure and for the first time principles of fair trial was extended to non-judicial authorities.

Therefore, we at Court verdict on 8 June 1976.21 in February 1984 and amended August 25, 1978 or the criminal jurisdiction of the broader field of criminal law includes Article 6 is applied in addition to the provisions on fair trial courts on non-judicial authorities will rule.

Criminal jurisdiction of an international convention to combat powerful (doping)

Doping word is derived from the language of South Africa, refers to an ancient alcoholic beverage that was used as a stimulant in ceremonial dances. Gradually the term became more widely used in today's world means "athletes use substances or methods that are intended to increase performance in

exercise" Because of the side effects of doping followed by individual athletes physically and mentally strong risks such as physiological death, death, physical, mental, and moral degeneracy is encountered, International Olympic Committee, In 1968, the definition of doping, and thus provides a list of illegal drugs test at the Olympics began. In the wake of these developments, the international community adopted the International Convention Against synergistic force (doping) to more serious measures should be taken up in the fight with this inauspicious phenomenon Olympics, In all combat sports competitions that are held nationally or globally, aims to tackle. Convention and its Annexes, consisting of: "Prohibited List 2005 Synergistic regulation of universal combat force (doping), and the licensing conditions for the use of illicit drugs." Global regulation synergistic combat power ", set global rules against forced synergy, International standard for laboratories to international standards for sampling adopted in some countries. Many countries around the world on the need to preserve cultural values and social phenomenon of the fight against sports doping in sport policy agenda planning their reports have so far 109 countries, Among the 21 countries to have joined the International Convention Against Doping. Adverse effect of the doping procedure is followed, Moral decadence that Athlete person in violation of the norms accepted by the international community to take place. Since the convention audience, a particular group of society and the well-known norm violations. Only the athletes are possible, therefore abuses of these rules, a disciplinary offense and the lack of a general nature, does not constitute a crime. However, Section 1 of Chapter 8 of Appendix 1 of the Convention Against Doping (Regulations of the World Anti-Doping Agency's global fight doping) 2003, All anti-doping agencies that are responsible for results management

responsibility, Been required to prove a violation of the judicial process which includes Anti-Doping Rules and the appropriate sanctions are imposed, For every person accused of a violation of these rules, a number of principles governing the observance of fair hearing on his track. As can be seen, the scope of this Convention, the processing of this type of criminal offenses and disciplinary aspects of non-criminal statutes have recognized, Considered valid and subject to the guarantees and safeguards governing the scope of the "nature of the offense" and "the nature of enforcement" can be justified:

Nature of Violation:

Based on these criteria, if a criminal violation is subject to the jurisdiction of the norm violated, and violated its general aspect, will affect all members of society. Although initially this seems to value the support of an international convention against forced synergy (doping), and was created only for athletes offense to it, only to violate the rights of other athletes, But you can get a closer look at the actual losses are the norm violation, Athletes representing their nations and communities that have participated in the competition and was due to violation of their right to have survived, On the other hand this phenomenon for sports enthusiasts who are mostly teenagers and young adults from several deleterious And the athletes who use doping in mind raw teen model shows Or hope to young people, particularly in developing countries, other than maybe any fun to watch and follow sports or no sports on the wind And the great tragedy is when they get frustrated and won the hearts and minds of indecency by people who certainly mistrust, frustration and anger control in the community believes. Therefore, since the individuals are all guilty of this violation, the concept can be extended to the criminal realm.

Nature of Enforcement:

This measure can be considered the most important criteria for determining criminal jurisdiction. Based on this criterion, when the scope of a criminal offense shall be subject to the sanctions foreseen in respect thereof, Yet it is a criminal and oppressive. Due to heavy enforcement at the international convention against forced synergy (doping) is predicted. The need to extend the scope of criminal offenses under this Convention shall be necessary and inevitable. One of the sanctions foreseen in the Convention,"to falsify their individual results" is Chapter 9 of the Regulations with respect to its implementation as a result of its enforcement globally Although no official credit earned by the offending athletes seeking, But this decision, the privilege and authority of a State shall, To disclaims and fairness that would be far from such a decision, which has been linked with the interests of society and the general aspect is , Without following a fair hearing, be adopted. Deprivation also impacts the individual and team performances guarantee that the order is explained in Chapters 10 and 11 of this Regulation. Under these sanctions, offenders athlete for two years or for life, will be excluded from participation in official competitions. This type of enforcement can be similar or even more severe punishment as a permanent or temporary suspension of the Criminal Code, For perpetrators of certain crimes is expected because according to some of the sports that their hero's life is short, such as gymnastics, To mark the end of a two-year ban on sports athletes will be considered. Hence, the criminal character who possesses such a decision and the other is suppressed, must comply with the clay just been realized And the violations set forth in this Convention may be interpreted within the criminal realm. Another very important reason that doping should be charged with ensuring fair trials is to benefit The world of sports is obviously

ties to the politics and economics and economic policy in today's world is full of deceit and trickery. And that person is probably an innocent victim of a conspiracy and an athlete is accused of doping after the fact. That is the principle of fair trial and criminal jurisdiction shall be subject to doping. It shall protect the rights and interests of victims and destroyed athletes. For if justice demands that the real criminal is punished, justice is that a person who is a suspect, a full and fair opportunity to defend himself is. Justice in the contemporary global civilization will be provided between the communities affected by the crimes of a human right hand, currently known as the defendant on the other hand, to maintain a balance. Obviously, the purpose of the criminal justice any criminal proceedings without establishing a fair trial at which the defendant's rights and freedoms are respected. Opportunity will never emerge.

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