

# Resumé

## **Philosophical, Theoretical and Practical Aspects of the Legal Regulation of Doping**

Doping in sport is a topic that is not thoroughly explored in the Czech legal environment. This thesis will attempt to remedy this gap in two steps. First, it will summarize the status quo with regards to doping, its definition, its history and the current state of regulation. Second, it will propose a solution to the question of whether, why and how should be the doping regulated.

The text is divided in six chapters, the first four focussed on the world of doping today and the last two on proposing a solution. The first chapter introduces the problems of elite sport and the use of performance enhancing substances. This is followed by a brief excursus into relationship between the law and sport with a focus on the world of global law. The third chapter covers the history of doping, providing definitions of the doping and briefly explaining the physiological impact of performance enhancing substances. The fourth chapter presents a snapshot of the current regulation in international, European and Czech law, as well as in ‘sports rules’ imposed by private organisations.

The fifth and sixth chapters together propose a solution. The fifth chapter identifies and defines the two possible approaches to regulation, zero tolerance and medical. It identifies and articulates the principal rationales for the regulation of the doping, namely the protection of athletes, fairness in competition and the good name of the sport. Each of the reasons for regulation is viewed from two angles, zero tolerance approach and medical approach. The final chapter analyses the arguments in favour of both approaches and attempts to find an answer to the question of how doping should be regulated.

**Key words:** doping, sport, global law