

パラリーガル

**篠原 翼** (Dr. Tsubasa SHINOHARA)



## 主な研究領域

国際人権法, スポーツ法, Eスポーツ法, スポーツと人権, Eスポーツと人権, テクノロジーと法, スポーツ仲裁

## 職歴

2016年4月—2018年2月	ティーチング・アシスタント (明治大学法学部)
2018年3月—2018年5月	ヨーロッパ人権裁判所 インターンシップ
2021年9月—2024年1月	Projektas コンサルタント (スイス・EU 個人情報保護法)
2024年3月～	Field-R 法律事務所 入所

## 学歴

2012年4月	明治大学法学部	入学
2013年8—9月	ケンブリッジ大学夏期法学研修	
2016年3月	明治大学法学部	卒業
2016年4月	明治大学大学院法学研究科博士前期課程	入学
2018年3月	同上	修了
2018年9月	ローザンヌ大学修士課程 (法学)	入学
2020年6月	同上	修了
2020年9月	ローザンヌ大学博士課程 (法学)	入学
2023年3月	同上	修了

## 受賞歴

- ・ 日本スポーツ法学会若手奨励賞 受賞

## 主な肩書き・活動

- ・ 日本スポーツ法学会 会員
- ・ Berkeley Center on Comparative Equality & Anti-Discrimination Law 会員
- ・ Esports Research Network (ERN) 会員
- ・ Association pour la Recherche et les Etudes Francophones sur l'Esport (AREFE) 会員
- ・ 日本スポーツ法学会ダイバーシティ・インクルージョン研究専門委員会 委員
- ・ ERN Diversity and Inclusion Sub-Committee 委員
- ・ Jury Member of AISTS Client Team Project Presentations (2023)

- Research Center for Esports Law 特別研究員 (Associated Researcher)
- Oxford Reports on International Law ECtHR Case Reporter
- Swiss Esports Federation 人権オフィサー (Human Rights Officer)

## 学会報告

[2024]

- "Transgender Athletes - Under what Conditions is Inclusion Possible?" @ Junges Netzwerk Sportrecht (in person and online), 26 April 2024. <https://junges-netzwerk-sportrecht.org/2024/04/05/olympic-games-paris-2024-hot-topics-in-sports-law-invitation/> (**Invitation**).
- "Safeguarding in Esports?" at Play the Games 2024 in Trondheim, Norway from 4-7 February 2024 (Accepted on 23 September 2023). <https://www.playthegame.org/conferences/play-the-game-2024/>.

[2023]

- "Paving the Way for the Protection of Human Rights in Sports: The Case of Intersex and Transgender Female Athletes" at the Centre for Olympic Studies and the Globalisation of Sport (CEOGS)/UNIL Webinar, 7 December 2023 (discussion expert, Prof. Frank Latty) (**Invitation**).
- 女子陸上競技会におけるインターセックス・女子アスリートの出場可能性について - Caster Semenya v. Switzerland 判決の分析と考, JSLA・JSSGS 第2回合同勉強会, 13 November 2023 @ Zoom (**Invitation**).
- "The Precautionary Principle For the Use of Facial Recognition Technology in Esports" at the Conference "Next Democratic Frontiers for Facial Recognition Technology: The Legal, Ethical and Democratic Implications of FRT" @ Università degli Studi di Firenze (29 September 2023). <https://www.dsg.unifi.it/art-922-friday-29-september-2023.html#>. (**Invitation**)
- "What Is A Role of the European Union for the Governance of the Esports Society?" at the Sports & EU 17th Annual Conference (6-7 July 2023) @ Universidade Autónoma de Lisboa (Accepted 31 March 2023). <https://autonoma.pt/sporte-u-17th-annual-conference/>.
- "The Gender Equality in Esports Through the Lens of the Convention on the Elimination of All Forms of Discrimination Against Women" at the Berkeley Center on Comparative Equality & Anti-Discrimination Law 10th Annual Conference 2023 (28-30 June 2023) @Utrecht University (Accepted on 3 February 2023). <https://bcce.sites.uu.nl>.
- "The Conflict Between the Olympic Charter and SNS Companies' Regulations for the

Prohibition of Propaganda in Social Media" at the SLS-funded conference "Contemporary Social and Legal Issues in a Social Media Age" (14 June 2023) @ Keele University (Accepted on 30 January 2023).

- « La protection de droits humains dans l'esport » au Colloque International Esport & Gaming (5-6 juin 2023) @ Université de Rouen Normandie (Accepté au 26 avril 2023). <https://esport2023.sciencesconf.org>.
- "Facial Recognition Technology in Esports? Youth Protection vs. Human Rights Risks" at the DIGinLaw Final Conference on "Law in the Age of Modern Technologies" (10 February 2023) @ The University of Milan (Accepted 19 December 2022), <https://diginlaw.com/2023/01/23/diginlaw-final-academic-conference-law-in-the-age-of-modern-technologies/>.

[2019-2022]

- "The Road to A Common Framework for the Esports Society through the lens of International Law" at the 2022 ERN Conference (21-23 November 2022) @ Jönköping International Business School (Accepted on 9 September 2022), <https://esportsresearch.net/ernc22/>.
- "The Protection of Esports Players against Toxic Behaviours during Esports Competition by the Artificial Intelligence Technology From A Human Rights Perspective" @European Human Rights Protection - Twenty Years from Now, Young Researchers' Workshop (14-15 September 2022) held by the Academy for European Human Rights Protection, <https://academy-humanrights.uni-koeln.de/aktuelles/academies-opening> (Accepted on 29 April 2022).
- "Resolution of International Business and Human Rights Disputes in Sports by International Arbitration Tribunal?" at the ESIL Interest Group on Business and Human Rights 2022 Pre-Conference Workshop (1st September 2022) @ University of Utrecht (Accepted on 20 May 2022), [https://esilutrecht2022.sites.uu.nl/wp-content/uploads/sites/667/2022/07/14\\_IG-2022\\_01-Sep\\_Business-Human-Rights-Revised.pdf](https://esilutrecht2022.sites.uu.nl/wp-content/uploads/sites/667/2022/07/14_IG-2022_01-Sep_Business-Human-Rights-Revised.pdf).
- 2022 Intensive Doctoral Week from 13 June 2022 to 17 June 2022 @Paris (Accepted on 8 April 2022), <https://www.sciencespo.fr/ecole-de-droit/en/news/intensive-doctoral-week.html>.
- "Sports et Droits Humains : La protection des droits substantiels dans le sport par la prise en compte de la discrimination à l'égard des athlètes intersexuées et transgenres dans le droit international des droits humains", Journée de la recherche sur le genre, 8

avril 2022 @ Université de Lausanne organisé par la Plateforme interfacultaire en études genre de l'Université de Lausanne.  
<https://agenda.unil.ch/display/1648212593882>.

- "Global Governance in International Esports Society?", 11th Annual Conference of the Cambridge International Law Journal @ University of Cambridge & Online (Hybrid Conference) on 26-27 March 2022 (selected on 24 January 2022).  
[https://www.eventbrite.com/e/11th-annual-cambridge-international-law-conference-tickets-271016536757?internal\\_ref=social#](https://www.eventbrite.com/e/11th-annual-cambridge-international-law-conference-tickets-271016536757?internal_ref=social#).
- "The Clarification of Human Rights Obligations to Protect Esports Players Against Physical and Mental Health Problems under Article 12 of the ICESCR", @ Esports Research Network Conference 2021 on 9-10 December 2021 (Full online event).  
<https://ernconference.com>.
- "Child rights and sports law: how can we protect young athletes' human rights under the UN Convention on the right of child?" @ 25th IASL International Sports Law Congress, Athens - Greece, 13-14 December 2019.  
<https://www.sportslawacademy.com/index.php/home-25th-iasl-congress>.

## ゲストレクチャー・スピーカー

- 講演会「テクノロジー・スポーツ・E スポーツと法」筑波大学（オンライン）2024年2月15日（招待有）
- Panel Speaker, Panel Session: GOVERNANCE - Who is really governing sport? @ LawInSport Global Summit 2023 (Invitation).  
<https://www.lawinsport.com/sports-law-events/upcoming-events/conference/188-global-summit-2023-understand-the-rules-of-the-game#agenda>. (Invitation)
- Guest Speaker, The Cambridge Law Summer Programme organised by Meiji University, 8 September 2023. (Invitation)
- Guest Speaker, "Esports Integrity Forum" at the Sports Integrity Week 2023, 6 September 2023 @ The City Hall of Pombal, Portugal (Online Conference).  
<https://siga-sport.com/press-releases/siga-calls-on-all-stakeholders-to-step-up-their-eforts-and-lead-the-way-for-sport-integrity-at-siw2023/>. (Invitation)
- Guest Speaker, "Comment garantir la sécurité internationale face à la menace et l'utilisation des armes nucléaires ?" à la Conférence de l'Association Mosaïque - UNIL, 21 mars 2023 @ Université de Lausanne.  
[https://www.linkedin.com/posts/mosa%C3%AFque-unil\\_conf%C3%A9rence-%C3%A0-luniversit%C3%A9-de-lausanne-activity-7041051909239001088-rhWI?utm\\_source=share&utm\\_medium=member\\_desktop](https://www.linkedin.com/posts/mosa%C3%AFque-unil_conf%C3%A9rence-%C3%A0-luniversit%C3%A9-de-lausanne-activity-7041051909239001088-rhWI?utm_source=share&utm_medium=member_desktop). (Invitation)

- Guest Lecture, "Non-Discrimination in Sports under the ECHR", Séminaire bloc: la lutte contre la discrimination des personnes vulnérables par le Conseil de l'Europe, compris la Cour européenne des droits de l'homme (Dr. Daniel Rietiker) @ University of Lausanne from 13 to 17 February 2023. <https://www.unil.ch/ecolededroit/fr/home/menuguid/etudiantes/seminaires-bloc.html>.  
(Invitation)
- Guest Lecture, "Case Study - Caster Semenya case", Séminaire bloc: la lutte contre la discrimination des personnes vulnérables par le Conseil de l'Europe, compris la Cour européenne des droits de l'homme (Dr. Daniel Rietiker) @ University of Lausanne from 7 to 11 February 2022. <https://www.unil.ch/ecolededroit/fr/home/menuguid/etudiantes/seminaires-bloc.html>.  
(Invitation)

## 研究業績

### 単著本

- Tsubasa Shinohara, *Paving the Way for the Protection of Human Rights in Sports: The Case of Intersex and Transgender Female Athletes* (Collection lausannoise: Stämpfli Publishers, 2024). <https://www.staempfliverlag.com/detail/ISBN-9783727243332>.

### ブックチャプター

- Cem Abanazir & Tsubasa Shinohara, *Esports Governance and Esports Law*. In Seth E. Jenny et al. (eds.), *Handbook of Esports* (Routledge, it will be published soon).
- Tsubasa Shinohara, *Diversity and Inclusion in Sports Through the Lens of the Corporate Social Responsibility and Human Rights*. In Christos Anagnostopoulos (ed.), *Research Handbook on Corporate Social Responsibility in Sport* (Edward Elgar Publishing, publication date will be in March 2024).
- Tsubasa Shinohara, *Fighting Corruption in Esports. Towards Good Governance in Light of Integrity, Transparency and Neutrality*. In Filippo Gilardim and Paul Martin (eds.), *Esports in the Asia-Pacific* (Palgrave Series in Asia and Pacific Studies: Palgrave Macmillan, 2023), 65–88. [https://doi.org/10.1007/978-981-99-3796-7\\_4](https://doi.org/10.1007/978-981-99-3796-7_4).

### ブログ記事

- Tsubasa Shinoahra, Safeguarding in Esports (Esports Legal Wiki, 5 February 2024). <https://esportslegal.news/esports-legal-wiki/human-rights/safeguarding-in-esports/>.

- Tsubasa Shinohara, Human Rights in Esports (Esports Legal Wiki, 5 February 2024). <https://esportslegal.news/esports-legal-wiki/human-rights/human-rights-in-esports/>.
- Tsubasa Shinohara, *Caster Semenya v. Switzerland: eligibility of intersex female athlete in female athletic events* (Strasbourg Observers, 27 September 2023). <https://strasbourgobservers.com/2023/09/27/caster-semenya-v-switzerland-eligibility-of-intersex-female-athlete-in-female-athletic-events/>.

## 論文

### 査読あり

- Tsubasa Shinohara, *The Role of National Esports Federations for Integrity Issues in Esports* (2024 or 2025) 15(1 or 2) UNLV Gaming Law Journal (Accepted on 21 April 2024).
- Tsubasa Shinohara, *Fairness or Equality? Participation of Esports Players with Disabilities in Esports Competition* (2024) 34(2) Marquette Sports Law Review (Accepted on 22 December 2023).
- Tsubasa Shinohara, *The road to a common framework for the esports society through the lens of international law* (2023) Journal of Sports Law Policy and Governance IV(I), 1-21. <https://www.jslpg.org/volume-iv-issue-1>.
- Tsubasa Shinohara, *The Brief Overview of the New Youth Protection Law and Esports in Switzerland* (2024) 28(1) Gaming Law Review, 2-7. <https://doi.org/10.1089/glr2.2022.0043>.
- Tsubasa Shinohara, *Human Rights in Sports Arbitration: What Should the Court of Arbitration for Sport Do for Protecting Human Rights in Sports?* (2023) Liverpool Law Review, 1-23. <https://doi.org/10.1007/s10991-023-09352-8>.
- Tsubasa Shinohara, *Global Governance in International Esports Society?* (2023) 27(4) Gaming Law Review, 1-11. <https://doi.org/10.1089/glr2.2023.0004>.
- Tsubasa Shinohara, *The Protection of Professional Esports Players Against Physical and Mental Health Problems under the International Covenant on Economic, Social and Cultural Rights* (2022) 13(1) UNLV Gaming Law Journal, 1-19. <https://law.unlv.edu/unlv-gaming-law-journal/vol13/protection-professional-esports-players-against-physical-and-mental-health-problems-under-1204>.
- Tsubasa Shinohara, *Which states parties should be held responsible for the implementation of positive obligations under the ECHR in sports-related disputes?* (2022) 22(4) International Sports Law Journal, 332–342. <https://doi.org/10.1007/s40318-021-00202-1>.

- Tsubasa Shinohara, *Physical and sexual abuse against young athletes in sport in light of Article 8 of the European Convention on Human Rights (ECHR)* (2022) 22(1) International Sports Law Journal, 51-61. <https://doi.org/10.1007/s40318-021-00197-9>.
- Tsubasa Shinohara, *The Protection of Esports Players against the Use of Doping Substances and Methods under the European Convention on Human Rights: the Swiss Example* (2021) 1(1) International Journal of Esports. <https://www.ijesports.org/article/69/html>.
- 篠原翼「スポーツ選手への新しい法的救済手段の出現可能性についての一考察－ヨーロッパ人権裁判所とスポーツ法秩序との関係性の考察を通じて－（一）」、『日本スポーツ法学会年報』第28号（2021年）140-163頁。
- 篠原翼「スポーツ選手への新しい法的救済手段の出現可能性についての一考察－ヨーロッパ人権裁判所とスポーツ法秩序との関係性の考察を通じて－（二）」、『日本スポーツ法学会年報』第27号（2020年）80-97号。
- 篠原翼「スポーツ選手への新しい法的救済手段の出現可能性についての一考察－ヨーロッパ人権裁判所とスポーツ法秩序との関係性の考察を通じて－（三・完）」、『日本スポーツ法学会年報』第26号（2019年）124-141頁。

#### 査読なし

- Tsubasa Shinohara, *The Protection of Intersex and Transgender Athletes from Discrimination under the European Convention on Human Rights* (2022) 14(1-2) International Sport Law Review Pandektis, 193-212.
- 篠原翼「スイス連邦裁判所におけるスポーツ仲裁判断の取消事由－スポーツ仲裁裁判所（CAS）とスイス国際私法（LDIP）第190条2項に関する若干の検討－」、『国際商事法務』第50巻1号（2022年），4-11頁。
- Tsubasa Shinohara, *Child rights and sports law: how can we protect young athlete's human rights under the UN Convention on the Rights of the Child?* (2020) 13(1-2) I.S.L.R. Pandektis, 136-154. [http://iasl.org/pages/posts/pandektis\\_publications/pandektis\\_publications421.php](http://iasl.org/pages/posts/pandektis_publications/pandektis_publications421.php).

#### 判例研究

- 篠原翼「Ali Rıza and Others v. Turkey, nos. 30226/10 and 4 others, Judgment of 28 January 2020, ECtHR - Ali Rıza and Others v. Turkey判決」、『日本スポーツ法学会年報』第28号（2021年），182-195頁。
- 篠原翼「TF 4A\_612/2009, Claudia Pechstein v. International Skating Union (ISU) & Deutsche Eisschnelllauf Gemeinschaft e.V (DEG) – Pechstein判決」、『

『日本スポーツ法学会年報』第27号(2020年),164-173頁。

- ・ 篠原翼「TF 4P.172/2006, arrêt du 22 mars 2007 X. c. ATP Tour—Cañas v. ATP Tour判決」、『日本スポーツ法学会年報』第26号(2019年), 222-233頁。

### 使用言語

- ・ 日本語
- ・ 英語
- ・ フランス語

### SNS

ORCID: <https://orcid.org/0000-0002-2972-7460>.

LinkedIn: <https://www.linkedin.com/in/dr-tsubasa-shinohara-13aaa894/>

X: @Tsubasashinoha; <https://twitter.com/Tsubasashinoha>.

ResearchGate: <https://www.researchgate.net/profile/Tsubasa-Shinohara>.